



Montgomery County Maryland

**THE
MEETING TRANSCRIPT
OF THE
COUNTY COUNCIL**

**The Meeting Transcript of
The Montgomery County Council**



April 26, 2005

**TRANSCRIPT
-- April 26, 2005 --**

MONTGOMERY COUNTY COUNCIL

PRESENT

Thomas Perez, President
Phil Andrews
Howard Denis
Marilyn J. Praisner

George Leventhal, Vice President
Michael Knapp
Nancy Floreen
Steven A. Silverman
Michael Subin

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1 **COUNCIL PRESIDENT PEREZ:** GOOD MORNING, WE CAN BEGIN. RABBI
2 HARRIS, THANK YOU FOR JOINING US TODAY. WE APPRECIATE YOUR
3 PRESENCE.

4
5 **RABBI GREG HARRIS:** THANK YOU.

6
7 **COUNCIL PRESIDENT PEREZ:** PRESS THE MICROPHONE. [INVOCATION]

8
9 **RABBI GREG HARRIS:** EL SHIDAI, GOD OF GUIDANCE, GUIDE OUR
10 COUNTY COUNCIL LEADERSHIP, THEIR STAFFS AND ALL THE EMPLOYEES
11 OF MONTGOMERY COUNTY, MARYLAND AS THEY WORK TOWARDS IMPROVING
12 AND PROTECTING THE LIVES OF THE CITIZENS OF THIS GREAT COUNTY.
13 THEIR WORKS TODAY AND EACH DAY ANSWER THE CHALLENGE THAT YOU
14 PUT FORTH FOR US TO PARTNER WITH YOU, OH GOD, TO COMPLETE YOUR
15 WORKS OF CREATION. WE ARE YOUR PARTNERS IN PERFECTING YOUR
16 WORLD. THROUGH THE COUNCIL'S EFFORTS AND THEIR ADMINISTERED
17 AGENCIES, THE SAFETY OF RESIDENTS OF MONTGOMERY COUNTY IS
18 STRENGTHENED. THE BASIC NEEDS OF FOOD AND SHELTER IS FOUND FOR
19 ALL IN OUR COMMUNITY AND THE WELFARE OF THE NEEDY IS SERVED. I
20 PRAY THAT THE COUNCIL MEMBERS FIND THE INSIGHTS REQUIRED TO
21 GUIDE OUR COUNTY IN YOUR WAYS OF [HEBREW] COMPASSION, [HEBREW]
22 HONOR AND SELF-DIGNITY, AND [HEBREW] BUILDING A STRONGER
23 COMMUNITY. I PRAY THAT THEY POSSESS THE INNER MEANS TO DISCERN
24 BETWEEN THE COMPETING NEEDS OF OUR COMMUNITY WHILE REALIZING
25 THE LIMITED RESOURCES TO ACCOMPLISH YOUR TASKS. BEYOND THE

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1 COUNCILMEMBERS I ASK YOUR SPECIAL BLESSING OF CARE AND
2 PROTECTION FOR THE MEN AND WOMEN WHO PLACE THEMSELVES IN
3 HARM'S WAY FOR THE PROTECTION OF OTHERS. NAMELY THE POLICE,
4 SHERIFF, CORRECTION OFFICERS, FIRE AND RESCUE PERSONS OF OUR
5 COUNTY. I ALSO ASK THIS DAY FOR YOUR PROTECTION FOR THE
6 RESIDENTS OF OUR COUNTY WHO ARE SERVING IN THE ARMED FORCES. I
7 ASK THAT YOU SPREAD YOUR PROTECTING SHELTER OVER THEM AS THEY
8 EXEMPLIFY THE VALUES OF DUTY, COURAGE AND SELFLESSNESS FOR THE
9 CARE OF OTHERS. I OFFER THIS PRAYER ON THIS DAY, THE THIRD DAY
10 OF THE HOLIDAY OF PASSOVER, AMEN.

11
12 **COUNCIL PRESIDENT PEREZ:** AMEN. THANK YOU. I ASK MY COLLEAGUES
13 TO KEEP IN THEIR THOUGHTS AND PRAYERS TODAY AN INDIVIDUAL
14 NAMED MAYNARD SAUNDERS, A MEMBER OF FIRE AND RESCUE SERVICE
15 WHO DIED LAST WEEK AND HIS FUNERAL SERVICE IS TODAY. 35 YEARS
16 YOUNG. AND OUR THOUGHTS AND PRAYERS ARE WITH HIM. ALSO PLEASE
17 KEEP IN YOUR THOUGHTS AND PRAYERS THE TWO LITTLE SCHOOL
18 CHILDREN IN ARLINGTON, AS WELL AS THE BALLOU HIGH SCHOOL
19 STUDENT. WE LOST ANOTHER ONE LAST NIGHT. SO, THOUGHTS AND
20 PRAYERS GO OUT TO ALL THESE FAMILIES DURING THESE TOUGH TIMES.
21 OKAY. WE HAVE A PETITION.

22
23 **COUNCILMEMBER LEVENTHAL PROCLAMATION.**
24

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1 >>**COUNCIL PRESIDENT PEREZ:** PROCLAMATION, I MEAN. I'M SORRY. WE
2 HAVE BOTH, I THINK.

3

4 **SPEAKER:** THE COACH IS GETTING A FEW STRAGGLERS DOWNSTAIRS.
5 [SPEAKER NOT UNDERSTOOD]

6

7 **COUNCIL PRESIDENT PEREZ:** OH, OKAY.

8

9 **COUNCILMEMBER LEVENTHAL:** WELL, COUNCILMEMBER KNAPP AND I ARE
10 VERY PLEASED TO RECOGNIZE MS. MORRISON, THE PRINCIPAL OF
11 NORTHWEST HIGH SCHOOL AND THESE EXTRAORDINARY SUCCESSFUL CHESS
12 PLAYERS WHO WON THE UNITED STATES NATIONAL TEAM CHESS
13 CHAMPIONSHIP IN NASHVILLE, TENNESSEE. WE HAVE NATIONAL
14 CHAMPIONS HERE AND WE REALLY ARE DELIGHTED THAT NORTHWEST HIGH
15 SCHOOL HAS CONCENTRATED ON BUILDING TALENT IN A VARIETY OF
16 ARENAS. CHESS IS A LOT LIKE POLITICS. YOU NEED TO ALWAYS THINK
17 A COUPLE OF STEPS AHEAD. WE'VE ALL HAD SOME SUCCESS AT
18 POLITICS HERE. I NEVER WAS AS GOOD OF A CHESS PLAYER AS I
19 WANTED TO BE. AND I'M SURE THAT ALL OF THE YOUNG PEOPLE HERE
20 COULD PROBABLY BEAT MY PANTS OFF. BUT IT'S A GREAT, GREAT GAME
21 AND IT REALLY TRAINS YOU, I THINK, IN THE SKILLS YOU'RE GOING
22 TO NEED IN FUTURE LIFE. FORETHOUGHT. CHESS IS ALL ABOUT
23 FORETHOUGHT. DON'T JUST CONCENTRATE ON THE DECISION YOU'RE
24 MAKING NOW, FOR WHAT IT MEANS NOW BUT YOU HAVE TO CONCENTRATE
25 ON WHAT IT MEANS SEVERAL STEPS AHEAD AND WHAT IT MEANS FOR

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1 YOUR FUTURE. AND I KNOW THAT THE SUCCESS THAT THESE YOUNG
2 PEOPLE HAVE HAD IN PLAYING CHESS IS GOING TO MEAN THEY'RE
3 GOING TO HAVE A BRIGHT, BRIGHT FUTURE.

4

5 **COUNCILMEMBER KNAPP:** WANT TO BRING EVERYBODY UP?

6

7 **COUNCILMEMBER LEVENTHAL:** LET'S BRING THE TEAM UP AND PRINCIPAL
8 MORRISON? [APPLAUSE] IF YOU WANT TO READ --

9

10 **COUNCILMEMBER KNAPP:** OH, SURE.

11

12 **COUNCILMEMBER LEVENTHAL:** GO AHEAD.

13

14 **COUNCILMEMBER KNAPP:** WELL, IT'S GREAT TO HAVE REPRESENTATIVES
15 FROM NORTHWEST BACK AGAIN. WE HAD THE FOOTBALL TEAM BUT THE
16 FOOTBALL TEAM JUST WON THE STATE CHAMPIONSHIP. YOU GUYS

17

18 [SPEAKER NOT UNDERSTOOD]

19

20 >>**COUNCILMEMBER KNAPP:** PARDON? WELL, YEAH BUT THAT WAS EASY.
21 THAT WAS JUST ON YOUR WAY TO THE NEXT THING. SO, VERY, VERY
22 IMPRESSIVE. SO, ON BEHALF OF THE COUNTY COUNCIL WE ISSUE THIS
23 PROCLAMATION.

24

25 **SPEAKER:** COME ON, GET TOWARDS THE CENTER.

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1
2 **COUNCILMEMBER KNAPP:** WHEREAS THE GAME OF CHESS IS THE
3 ULTIMATE CHALLENGE COMBINING INTELLECT WITH STAMINA,
4 CONCENTRATION WITH FORESIGHT AND PRUDENCE WITH AUDACITY, AND
5 WHEREAS NORTHWEST HIGH SCHOOL'S CHESS TEAM RECENTLY
6 DISTINGUISHED THEMSELVES IN THE U.S. NATIONAL TEAM CHESS
7 CHAMPIONSHIP IN NASHVILLE, TENNESSEE WITH AN OVERALL RANKING
8 OF NUMBER ONE. AND WHEREAS THE TEAM ALSO TOOK SECOND PLACE AND
9 FIFTH PLACE IN THE U.S. CHESS CHAMPIONSHIP IN OTHER CHESS
10 DIVISIONS AND IN THE FIVE DIVISIONS OF THE TOURNAMENT,
11 NORTHWEST PLACED IN THE TOP FIVE IN FOUR OF THOSE DIVISIONS.
12 AND WHEREAS ON THE WAY TO THE NATIONAL CHAMPIONSHIP THIS YEAR
13 THE NORTHWEST HIGH SCHOOL'S CHESS TEAM WON THE WASHINGTON-
14 METROPOLITAN LEAGUE CHESS TEAM CHAMPIONSHIP AND THE MARYLAND
15 STATE CHAMPIONSHIP. AND WHEREAS CHESS COACH ROBERT YOUNGBLOOD
16 CONTRIBUTED MIGHTILY BY GUIDING THE TEAM TO REALIZE THEIR
17 POTENTIAL. WHEREAS CHESS TEAM MEMBERS, ZACH FIELDS, DILLON
18 LISHAU, BRIAN LEVES, STEPHANO NUNGA VICH, ADAM BLECHMAN, TROY
19 CALLINS, SARMA SIGNAM, BY EVIDENCE OF THEIR HARD WORK AND
20 EFFECTIVE PLAY DESERVE THANKS FROM ALL MONTGOMERY COUNTIANS,
21 FOR HOLDING HIGH THE COUNTY'S BANNER IN THE NATIONAL TEAM
22 CHESS COMPETITION. NOW, THEREFORE BE IT RESOLVED THAT THE
23 MONTGOMERY COUNTY COUNCIL CONGRATULATES THE COACHES AND THE
24 PLAYERS OF THE NORTHWEST HIGH SCHOOL CHESS TEAM AND WISHES
25 THEM AS A TEAM AND AS INDIVIDUALS ALL FUTURE SUCCESS IN THE

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1 WONDERFUL WORLD OF CHESS AND BEYOND. PRESENTED THIS DAY BY
2 THOMAS E. PEREZ, COUNCIL PRESIDENT. [APPLAUSE] COACH
3 YOUNGBLOOD, DID YOU WANT TO MAKE SOME COMMENTS?

4
5 **ROBERT YOUNGBLOOD:** SPEECH. UM, I DO WANT TO THANK EVERYBODY
6 FOR US BEING HERE AND THANK THEN AND OUR PRINCIPAL, MS.
7 MORRISON AND A SPECIAL THANKS TO -- HE'S NOT HERE, MR. MEL
8 FIELDS, WHO ALSO HELPS OUT WITH OUR CHESS TEAM. WE DID NOTHING
9 SHORT OF, LIKE SEVERAL PEOPLE HAVE SAID, THE IMPOSSIBLE. AND
10 LIKE THE PRESIDENT OF THE MARYLAND CHESS ASSOCIATION, TOM
11 MCNAMARA AT SEVERN HIGH SCHOOL TOLD US TO LET THIS -- BECAUSE
12 THIS IS SOMETHING YOU'LL NEVER DO AGAIN, PROBABLY. AND IT'S
13 LIKE, TO BE NATIONAL CHAMPIONS, THAT'S INSANE. I JUST WANT TO
14 SAY THANKS.

15
16 **COUNCILMEMBER KNAPP:** THANK YOU.

17
18 **PHOTOGRAPHER:** EVERYBODY IN HERE FOR...

19
20 **ROBERT YOUNGBLOOD:** YEAH, WE WANT TO GET EVERYBODY IN FOR A
21 NICE SHOT. LET'S GO. DEBRA, WE CAN'T SEE YOU. LOOK AT BO.

22
23 **COUNCILMEMBER LEVENTHAL:** CLYDE, MAKE SURE EVERYBODY CAN BE
24 SEEN.

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1 **PHOTOGRAPHER:** OKAY, IF YOU CAN GET INTO THREE ROWS.

2

3 **ROBERT YOUNGBLOOD:** THREE ROWS, SHORT PEOPLE IN THE FRONT.

4 [OVERLAPPING VOICES]

5

6 **ROBERT YOUNGBLOOD:** GOT EVERYBODY IN? MAKE SURE EVERYBODY --
7 CAN' SEE MARY.

8

9 **COUNCILMEMBER LEVENTHAL:** CAN EVERYBODY'S FACE BE SEEN? OKAY.

10

11 **COUNCILMEMBER KNAPP:** LOOKS LIKE WE'RE PART OF THE TEAM, GEORGE.

12

13 **COUNCILMEMBER LEVENTHAL:** GREAT, WONDERFUL. ALL RIGHT.

14

15 **COUNCILMEMBER KNAPP:** GOOD WORK, THANK YOU ALL FOR COMING OUT
16 VERY MUCH. [APPLAUSE]

17

18 **COUNCIL PRESIDENT PEREZ:** ALL RIGHT! CONGRATS. MY GOD, MY CHESS
19 TEAM HAD SIX PEOPLE ON IT. I DON'T KNOW WHAT YOU GUYS ARE
20 DOING.

21

22 **COUNCILMEMBER LEVENTHAL:** OH, YEAH. THANK YOU. I WANTED JUST TO
23 ACKNOWLEDGE THE WORK OF PATTY VITALE RAPP OF MY STAFF WHO IS
24 ALSO A PROUD NORTHWEST PARENT.

25

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1 **SPEAKER:** CHESS PLAYER? [SPEAKER NOT UNDERSTOOD]

2

3 **SPEAKER:** YOU GUYS ARE BIG.

4

5 **COUNCIL PRESIDENT PEREZ:** CLEARLY, THEY ARE WEIGHT-LIFTING. YES,
6 OKAY. MS. LAUER, GOOD MORNING.

7

8 **LINDA LAUER:** THE CONSENT CALENDAR THIS MORNING HAS TWO
9 ADDITIONAL ITEMS. INTRODUCTION OF SPECIAL APPROPRIATION FOR
10 THE SCHOOL'S CAPITAL BUDGET, A.L.A.R.F., 1.5 MILLION FOR
11 PURCHASE OF LAND FOR DOWNCOUNTY CONSORTIUM ELEMENTARY SCHOOL.
12 PUBLIC HEARING MAY 10TH AT 1:30. AND THEN INTRODUCTION AND
13 SUSPENSION OF RULES SO THAT WE CAN ACT TODAY ON A RESOLUTION
14 TO APPROVE REVISED PARTIES OF THE MONTGOMERY COUNTY PUBLIC
15 SCHOOLS FY06 STATE CAPITAL IMPROVEMENTS PROGRAM. AND THEN
16 LATER THIS MORNING, AS SOON AS WE COMPLETE THE COMPENSATION
17 DISCUSSION, WE'RE ADDING A DISCUSSION OF COUNTY EXECUTIVE'S
18 BUDGET ADJUSTMENTS, THANK YOU.

19

20 **COUNCIL PRESIDENT PEREZ:** THANK YOU, WE LOOK FORWARD TO THAT
21 DISCUSSION. [LAUGHTER]

22

23 **COUNCIL PRESIDENT PEREZ:** OKAY, APPROVAL OF MINUTES?

24

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1 **CLERK:** WE HAVE MINUTES OF APRIL 7TH, 11TH AND 12TH FOR
2 APPROVAL.

3
4 **SPEAKER:** SECONDED.

5
6 **COUNCIL PRESIDENT PEREZ:** MOVED AND SECONDED. ALL THOSE IN
7 FAVOR SIGNIFY BY RAISING YOUR HAND. UNANIMOUS. THERE ARE NO
8 PETITIONS SO WE CAN MOVE TO THE CONSENT CALENDAR. THERE ARE
9 TWO ADDENDA TO CONSENT CALENDAR. THEY WERE ON YOUR DESK, ITEMS
10 C AND D.

11
12 **SPEAKER:** APPROVAL --

13
14 **COUNCIL PRESIDENT PEREZ:** THIS, THE ITEMS.

15
16 **COUNCILMEMBER PRAISNER:** OH, THE ITEMS.

17
18 **COUNCIL PRESIDENT PEREZ:** YEAH, I'M SORRY. THEY WERE JUST--
19 A.L.A.R.F., AS I SAID TO MR. SILVERMAN, IS MY FAVORITE ACRONYM
20 IN THE COUNTY GOVERNMENT. WHEN I PURCHASE A DOG, I'M GOING TO
21 NAME HIM A.L.A.R.F. HERE A.L.A.R.F, COME ON A.L.A.R.F. COME ON.
22 YOU KNOW, SERIOUSLY. [LAUGHTER]

23
24 **COUNCILMEMBER DENIS:** I MIGHT GET YOU A DOG JUST TO SEE IF YOU
25 DO.

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1

2 **COUNCIL PRESIDENT PEREZ:** YEAH.

3

4 **COUNCILMEMBER FLOREEN:** I HAVE A DOG YOU CAN HAVE.

5

6 **COUNCIL PRESIDENT PEREZ:** YEAH. COME ON, A.L.A.R.F. COME ON.

7 YEAH. ANYWAY, MS. PRAISNER.

8

9 **COUNCILMEMBER PRAISNER:** I HAVEN'T HAD A CHANCE TO SEE THE
10 ADDENDUMS SO I RESERVE THE RIGHT TO MAKE COMMENTS IF I HAVE
11 THEM LATER ON THOSE ISSUES.

12

13 **COUNCIL PRESIDENT PEREZ:** AMEN.

14

15 **COUNCILMEMBER PRAISNER:** THANK YOU, MR. SPEAKER.

16

17 **COUNCIL PRESIDENT PEREZ:** YES, OKAY. WITH THAT CAVEAT IN MIND,
18 ALL THOSE IN FAVOR OF THE CONSENT CALENDAR, SIGNIFY BY RAISING
19 THEIR RAISE HANDS. UNANIMOUS. WE CAN MOVE TO LEGISLATIVE
20 SESSION. IS THERE A LEGISLATIVE JOURNAL, MADAM CLERK?

21

22 **CLERK:** WE HAVE THE JOURNAL OF APRIL 5TH AND 12TH FOR APPROVAL.

23

24 **SPEAKER:** MOVE THAT.

25

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1 **COUNCIL PRESIDENT PEREZ:** OKAY. MOVED AND I THINK IT WAS
2 SECONDED. ALL THOSE IN FAVOR SIGNIFY BY RAISING THEIR HANDS.
3 OKAY, UNANIMOUS. INTRODUCTION OF BILLS, BILL 11-05? DID YOU
4 HAVE A QUESTION, MR. SUBIN?

5

6 **COUNCILMEMBER SUBIN:** ACTUALLY IT WAS MS. FLOREEN HAD IT BUT
7 I'M WITH HER ON THIS.

8

9 **COUNCILMEMBER FLOREEN:** MR. PRESIDENT, WITH RESPECT TO THE
10 CONSENT CALENDAR, ITEM NUMBER D ON THE ADDENDUM INCLUDED A
11 REQUEST TO SUSPEND THE RULES OF PROCEDURE TO ALLOW IMMEDIATE
12 ACTION.

13

14 **COUNCIL PRESIDENT PEREZ:** YEAH, CAN WE DO THAT ALL IN ONE?

15

16 **COUNCILMEMBER FLOREEN:** SO, I WANTED TO MAKE SURE THAT THAT WAS
17 INCLUDED IN THE MOTION FOR PURPOSES OF CLARITY.

18

19 **COUNCIL PRESIDENT PEREZ:** IT WAS. YES. IT WAS.

20

21 **COUNCILMEMBER FLOREEN:** GOOD.

22

23 **COUNCIL PRESIDENT PEREZ:** A NEW -- YES, IT WAS. THANK YOU,
24 THOUGH, FOR POINTING THAT OUT. WE WERE TALKING ABOUT BILL 11-
25 05, COLLECTIVE BARGAINING, CORRECTIONS DEPARTMENT. SERGEANTS,

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1 SPONSORED BY THE COUNCIL PRESIDENT AT REQUEST OF THE COUNTY
2 EXECUTIVE. PUBLIC HEARING IS SET FOR JUNE 14TH, 2005 AT 1:30
3 P.M. MR. SUBIN DID YOU HAVE A COMMENT?

4
5 **COUNCILMEMBER SUBIN:** NO, I'M SORRY.

6
7 **COUNCIL PRESIDENT PEREZ:** OKAY. DISTRICT COUNCIL SESSION,
8 AGENDA ITEM 4A, REMEDIAL MAP AMENDMENT G-835 TO RECLASSIFY
9 PROPERTY FROM THE COUNTY INN ZONE TO THE R.D.T. ZONE.

10
11 **RALPH WILSON:** DO YOU HAVE A RESOLUTION FOR THAT PURPOSE IN
12 FRONT OF YOU?

13
14 **COUNCIL PRESIDENT PEREZ:** YES, WE DO.

15
16 **RALPH WILSON:** THIS IS THE PROCESS YOU PUT IN PLACE A WHILE
17 BACK AND THIS IS THE FIRST APPLICATION UNDER THAT PROCESS.
18 COUNCIL STAFF HAS RECOMMENDED AND APPROVED ALL. SO DID THE
19 PLANNING BOARD, PLANNING STAFF AND THE THREE BASIC CRITERIA IN
20 THE ORDINANCE WHICH THIS APPLICATION CONFORMS TO. SO, ALL
21 PARTIES RECOMMENDING APPROVAL. THERE WAS NO OPPOSITION. IT
22 REQUIRES FIVE VOTES FOR APPROVAL.

23
24 **SPEAKER:** MOVE APPROVAL.
25

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1 **SPEAKER:** SECONDED.

2

3 **COUNCIL PRESIDENT PEREZ:** MADAM CLERK, PLEASE CALL THE ROLL:

4

5 **CLERK:** MR. DENIS?

6

7 **COUNCILMEMBER DENIS:** YES.

8

9 **CLERK:** MS. FLOREEN?

10

11 **COUNCILMEMBER FLOREEN:** YES.

12

13 **CLERK:** MR. SUBIN?

14

15 **COUNCILMEMBER SUBIN:** YES.

16

17 **CLERK:** MR. SILVERMAN?

18

19 **COUNCILMEMBER SILVERMAN:** YES.

20

21 **CLERK:** MR. KNAPP?

22

23 **COUNCILMEMBER KNAPP:** YES.

24

25 **CLERK:** MR. ANDREWS?

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1

2 COUNCILMEMBER ANDREWS: YES.

3

4 CLERK: MS. PRAISNER?

5

6 COUNCILMEMBER PRAISNER: YES.

7

8 CLERK: MR. LEVENTHAL?

9

10 COUNCILMEMBER LEVENTHAL: YES.

11

12 CLERK: MR. PEREZ?

13

14 COUNCIL PRESIDENT PEREZ: YES. PASSES NINE-NOTHING.

15

16 COUNCILMEMBER PRAISNER: MR. PRESIDENT?

17

18 COUNCIL PRESIDENT PEREZ: YES?

19

20 COUNCILMEMBER PRAISNER: POINT OF PERSONAL PRIVILEGE?

21

22 COUNCIL PRESIDENT PEREZ: OF COURSE.

23

24 COUNCILMEMBER PRAISNER: I'D LIKE TO ACKNOWLEDGE THE PRESENCE

25 IN THE AUDIENCE OF OUR NEWEST MONTGOMERY COUNTY COUNCIL STAFF

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1 MEMBER KATHLEEN BOUCHER WHO JOINS US AFTER A STELLAR CAREER
2 WITH THE INTERGOVERNMENTAL AFFAIRS OFFICE BUT ALSO BEFORE THAT
3 WITH LEGISLATIVE SERVICES IN ANNAPOLIS. AND I KNOW SHE'S GOING
4 TO BE A FANTASTIC ADDITION. I'M WORRIED ABOUT
5 INTERGOVERNMENTAL RELATIONS. WHEN WE DO THAT BUDGET I'M SURE
6 MELANIE'S GOING TO COME IN HERE WITH A LONG FACE BUT IT'S GOOD
7 TO SEE KATHY. I FIRST MET MS. BOUCHER WHEN SHE WAS THE STAFF
8 PERSON -- ONE OF THE KEY STAFF PERSONS ON THE THORTON
9 COMMISSION. SO, THERE WERE MANY WEDNESDAY AND MONDAY
10 AFTERNOONS THAT WE SPENT TOGETHER DURING THAT TIME PERIOD.
11 I'VE NEVER KNOWN HER TO BE ANYTHING OTHER THAN AN OUTSTANDING
12 PUBLIC SERVANT.

13
14 **COUNCIL PRESIDENT PEREZ:** THANK YOU FOR POINTING THAT OUT. I
15 DID NOT -- I WAS LOOKING TO MY LEFT AND I DIDN'T LOOK TO MY
16 RIGHT TODAY, OTHER THAN TO SEE MY GOOD FRIEND, MARVIN --

17
18 **COUNCILMEMBER DENIS:** THEY OFTEN SAY THAT ABOUT YOU, MR.
19 PRESIDENT.

20
21 **COUNCIL PRESIDENT PEREZ:** I KNOW, IT WAS METAPHORICAL. IT WAS
22 METAPHORICAL... BUT ACTUALLY IN SOME RESPECTS KATHLEEN STARTED
23 FOR US A NUMBER OF MONTHS AGO BECAUSE SHE TOOK SUCH GOOD CARE
24 OF US DURING THE SESSION. AND I FOUND HER TO BE REMARKABLY
25 RESPONSIVE, AS WAS MELANIE AND THE ENTIRE STAFF. BUT IT'S

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1 GREAT TO HAVE YOU ON BOARD. AND I SERVE ON THE THORNTON
2 COMMISSION ON ADULT EDUCATION SO I HOPE THAT I CAN PICK YOUR
3 BRAIN FOR IDEAS ON THAT. OUR NEXT MEETING IS AT 12 O'CLOCK
4 TODAY. SO, I'M LOOKING FORWARD TO PICKING YOUR BRAIN.

5

6 **KATHLEEN BOUCHER:** ABOUT THE G.C.I.

7

8 **COUNCIL PRESIDENT PEREZ:** YEAH. WE'RE HAVING A DISCUSS THIS
9 AFTERNOON ABOUT THE G.C.I. FOR ADULT EDUCATION. YOU'VE BEEN TO
10 THAT MOVIE?

11

12 **KATHLEEN BOUCHER:** I HAVE A FORMULA FOR YOU.

13

14 **COUNCIL PRESIDENT PEREZ:** THAT'S RIGHT. SO WE CAN PUT ANOTHER
15 THING IN THERE THAT HAS NO MEANING IN PRACTICE. OKAY. I'M
16 SORRY, MR. SUBIN, I SHOULDN'T HAVE SAID THAT PROBABLY, RIGHT?

17

18 **COUNCILMEMBER SUBIN:** NO, I THINK WE SHOULD ALL SAY SOMETHING
19 LIKE THAT, MAYBE IT'LL BE HEARD.

20

21 **COUNCIL PRESIDENT PEREZ:** YEAH. WELCOME BACK TO OUR GOOD FRIEND,
22 MR. SUBIN, WHO IS A LITTLE UNDER THE WEATHER BUT IS BACK WITH
23 US IN GREAT HEALTH.

24

25 **COUNCILMEMBER SUBIN:** THANK YOU, MR. PRESIDENT.

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1

2 **COUNCIL PRESIDENT PEREZ:** AND AS I MENTIONED TO HIM PRIVATELY
3 THE COUNCIL VOTED AFTER AN HOUR-LONG DEBATE 5-3 TO WISH HIM A
4 SPEEDY RECOVERY. [LAUGHTER]

5

6 **COUNCILMEMBER SUBIN:** IF I HAD BEEN HERE IT MIGHT HAVE BEEN A
7 TIE VOTE AGAIN.

8

9 **COUNCIL PRESIDENT PEREZ:** YEAH. AND WE DEFEATED THE MOTION FOR
10 RECONSIDERATION, SO -- OKAY. MR. FARBER, WE ARE ON AGENDA ITEM
11 NUMBER 5 AND IT IS 9:45. WHAT CAN I SAY? WE'RE ON A ROLL HERE.
12 COMPENSATION AND BENEFITS.

13

14 **STEVE FARBER:** WELL, THE MANAGEMENT AND FISCAL POLICY COMMITTEE
15 HAS REPORTED AND MR. DENIS IS LEAD COUNCIL MEMBER FOR
16 PERSONNEL.

17

18 **COUNCIL PRESIDENT PEREZ:** YES. I'M GOING TO TURN TO OUR LEAD
19 COUNCIL MEMBER.

20

21 **COUNCILMEMBER DENIS:** THANK YOU, MR. PRESIDENT. THANK YOU,
22 MADAM CHAIR. AND THANK YOU, AS ALWAYS, TO OUR EXCELLENT STAFF
23 DIRECTOR, STEVE FARBER FOR THE WORK THAT HE PUT INTO THIS
24 PACKET AND FOR OTHER MEMBERS AS WELL. AS LEAD MEMBER FOR
25 PERSONNEL I'M PLEASED TO REPORT THAT THE MANAGEMENT AND FISCAL

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1 POLICY COMMITTEE HAS A UNANIMOUS RECOMMENDATION ON ALL OF THE
2 ITEMS BEFORE US. I THINK PERHAPS WE ARE AT THE POINT IN THE
3 BUDGET PROCESS WHERE WE'RE ALL STARTING TO PLAY CHESS AS
4 OPPOSED TO CHECKERS -- [LAUGHTER]

5
6 **COUNCILMEMBER DENIS:** AND THIS IS AN APPROPRIATE ITEM TO KICK
7 THINGS OFF. ITEM NUMBER ONE REFERS TO THE PAY CHANGES, THE
8 RECOMMENDATIONS. AND AS I SAY, ALL THESE WERE UNANIMOUSLY
9 APPROVED BY THE COMMITTEE. FOR THE COUNTY GOVERNMENT THE
10 COMMITTEE SUPPORTED FUNDING FOR FY06 INCREMENTS AND GENERAL
11 WAGE ADJUSTMENTS REQUESTED FOR M.C.G.E.O., THE FIRE FIGHTERS,
12 THE POLICE, THE POLICE MANAGEMENT AND UNREPRESENTED EMPLOYEES.
13 I DON'T PARTICULARLY LIKE THAT PHRASE, UNREPRESENTED. BUT
14 THERE IT IS. IT SOUNDS LIKE A NOVEL BY EMILE ZOLA OR FYODOR
15 DOSTOYEVSKY OR WHATEVER. BUT I GUESS WE REPRESENT THE
16 UNREPRESENTED. THEY'RE REPRESENTED BY SOMEONE BUT NEVERTHELESS,
17 THEY'RE REFERRED TO AS THE UNREPRESENTED. WE ALSO SUPPORTED
18 FUNDING FOR THE INCREMENTS FOR FY06 AND GENERAL WAGE
19 ADJUSTMENTS FOR THE FIREFIGHTERS, FIRE AND RESCUE MANAGEMENT,
20 AS REFLECTED IN THE FIRST YEAR OF THE NEW THREE-YEAR CONTRACT.
21 THAT IS A MORE EXTENSIVE SUBJECT OF OUR NEXT ITEM. WE ALSO
22 APPROVED THE PROPOSED FY06 SALARY SCHEDULES FOR THE
23 UNREPRESENTED EMPLOYEES, M.C.G.E.O., THE FIREFIGHTERS, FIRE
24 AND RESCUE MANAGEMENT, THE POLICE, POLICE MANAGEMENT, DEPUTY
25 SHERIFFS, SHERIFFS MANAGEMENT, MANAGEMENT LEADERSHIP SERVICE,

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1 THOSE ON THE HIGHER END AND SEASONAL EMPLOYEES. THE NEXT ITEM,
2 AND I'M ON PAGE TWO NOW, THE SECOND BULLET, MAY BE ONE OF THE
3 MORE INTERESTING ITEMS THAT WE HAVE BEFORE US. AGAIN, THE
4 COMMITTEE'S RECOMMENDATION IS UNANIMOUS, BUT THIS DEALS WITH
5 PERFORMANCE PAY FOR THE SO-CALLED UNREPRESENTED. THIS WAS AN
6 EXCELLENT IDEA THAT WAS PRESENTED TO US BY THE COUNTY
7 EXECUTIVE. HOWEVER THE COUNTY EXECUTIVE THEN RECOMMENDED THAT
8 WE DELAY IMPLEMENTATION. MY VIEW OF THE SITUATION, AS I
9 EXPRESSED TO THE COMMITTEE, IS ANYTHING WORTH DOING IS WORTH
10 DOING NOW. AND I WOULD LIKE TO SEE THIS IMPLEMENTED AS
11 ORIGINALLY PROPOSED RATHER THAN IN FY07. HOWEVER, THE
12 COMMITTEE DID AGREE AND WE WERE UNANIMOUS TO PUT A PLACEHOLDER
13 FOR THIS ITEM, WHICH IS \$425,000 ON THE RECONCILIATION LIST TO
14 IMPLEMENT THE PROGRAM IN FY06. FOR THE PLANNING BOARD WE
15 SUPPORTED FUNDING FOR THE PAY CHANGES REQUESTED FOR M.C.G.E.O.
16 FOR MONTGOMERY COLLEGE WE SUPPORTED FUNDING FOR PAY CHANGES
17 REQUESTED FOR FACULTY AND ALSO SUPPORTED FUNDING WITHIN THE
18 COLLEGE BUDGET FOR PAY CHANGES FOR OTHER REPRESENTED AND
19 UNREPRESENTED EMPLOYEES. FOR THE SCHOOL SYSTEM WE SUPPORTED
20 FUNDING FOR THE PAY CHANGES REQUESTED FOR ALL THE UNITS. FOR
21 THE SANITARY COMMISSION WE SUPPORTED FUNDING FOR THE AGENCY
22 PAY INCREASES REQUESTED IN PREPARATION FOR THE BICOUNTY
23 MEETING. ON ITEM TWO ON BOTTOM OF PAGE TWO, IN THE RETIREMENT
24 PROGRAM WE REVIEWED ISSUES CONCERNING THE COUNTY GOVERNMENT
25 RETIREMENT PROGRAM, INCLUDING ACTUARIALLY DETERMINED COUNTY

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1 CONTRIBUTION TO THE DEFINED BENEFIT EMPLOYEES' RETIREMENT
2 SYSTEM, THE EVER-POPULAR E.R.S., AND AMOUNT FOR THE DEFINED
3 CONTRIBUTION, RETIREMENT SAVINGS PLAN, THE EVER-POPULAR R.S.P.
4 OUR RECOMMENDATIONS ARE TO APPROVE THE RECOMMENDED FY06 COUNTY
5 CONTRIBUTION, TO APPROVE THE FY06 BUDGETS FOR THE THREE
6 RETIREMENT PLANS. ITEM THREE, THE COUNTY GOVERNMENT
7 COMPENSATION-RELATED N.D.A.S, NON DEPARTMENTAL ACCOUNTS. THESE
8 INCLUDE FIVE THAT WE HAD TO REVIEW. THE JUDGES' RETIREMENT
9 CONTRIBUTION, THE STATE POSITION SUPPLEMENT, THE STATE
10 RETIREMENT CONTRIBUTION, GROUP INSURANCE FOR RETIREES AND
11 COMPENSATION FOR EMPLOYEE BENEFITS ADJUSTMENTS. OUR
12 RECOMMENDATIONS, AGAIN UNANIMOUS, TO APPROVE THE FIRST THREE,
13 THAT IS FOR THE JUDGES' RETIREMENT CONTRIBUTIONS, STATE
14 POSITION SUPPLEMENT, AND STATE RETIREMENT CONTRIBUTION, WHICH
15 REFLECT THE ANNUAL COUNTY OBLIGATIONS. SECONDLY, TO APPROVE
16 THE GROUP INSURANCE FOR RETIREES CONSISTENT WITH THE
17 RECOMMENDATIONS THAT WE HAVE ON GROUP INSURANCE AND TO APPROVE
18 THE COMPENSATION AND EMPLOYEE BENEFITS ADJUSTMENT, INCLUDING
19 THE COMPONENT PARTS THAT ARE LISTED IN CIRCLE 11. ITEM NUMBER
20 4, FOR THE FY06 GROUP INSURANCE, OUR RECOMMENDATIONS INCLUDE
21 TO SUPPORT THE AGENCY GROUP INSURANCE FUNDING REQUESTS FOR
22 BOTH ACTIVE EMPLOYEES AND RETIREES, TO SUPPORT THE AGENCY'S
23 CONTINUING EFFORTS TO IMPLEMENT PROVISIONS OF RESOLUTION 15-
24 454. I'M SURE THAT'S KNOWN TO EVERYONE, POLICY GUIDELINES FOR
25 AGENCY GROUP INSURANCE PROGRAMS. THE LAST PAGE OF THE PACKET,

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1 ON PAGE FOUR, WE ALSO APPROVED FOR THE COUNTY GOVERNMENT THE
2 RECOMMENDED EXPENDITURES OF THE EMPLOYEE HEALTH BENEFIT SELF-
3 INSURANCE FUND. THESE EXPENDITURES ARE REFLECTED IN THE OFFICE
4 OF HUMAN RESOURCES. THE OTHER COMPENSATION ISSUES INCLUDE
5 SUPPORT FOR EMPLOYEE AWARDS AND TUITION ASSISTANCE. OUR
6 RECOMMENDATION IS TO APPROVE THE REQUESTS AND FINALLY, AS
7 NOTED IN THE BOTTOM OF THE PACKET, MRS. PRAISNER TOOK THE LEAD
8 IN CALLING A COMMITTEE MEETING THIS SUMMER, TIME TO BE
9 DETERMINED, WHEN WE WILL HOLD A FORUM ON PRODUCTIVITY
10 IMPROVEMENT IN THE SERVICES SECTOR. SO THAT CONCLUDES THE
11 REPORT. AND MR. FARBER, IF YOU CARE TO ADD ANYTHING THAT WOULD
12 BE FINE.

13
14 **COUNCIL PRESIDENT PEREZ:** MS. PRAISNER?

15
16 **COUNCILMEMBER PRAISNER:** THANK YOU, I THINK MR. DENIS HAS DONE
17 A FINE JOB OF SUMMARIZING ALL OF THE COMMITTEE DISCUSSION AND
18 THE COMMITTEE RECOMMENDATIONS. THERE'S JUST A COUPLE OF
19 COMMENTS I'D LIKE TO MAKE AS A MEMBER OF THE COMMITTEE. I
20 CONTINUE TO BELIEVE THAT THE INFORMATION THAT WE RECEIVE FROM
21 THE AGENCIES IS EXTREMELY USEFUL WHEN WE LOOK AT NOT JUST THE
22 RECOMMENDATIONS FOR COMPENSATION BUT THE PERSONNEL COMPLEMENT
23 INFORMATION. AND I THINK THAT THE COUNCIL NEEDS TO WORK MORE
24 AGGRESSIVELY IN HOW WE USE THAT INFORMATION, HAVING RECEIVED
25 THAT MATERIAL. AND THEN USING THAT TO EITHER PROJECT COSTS BUT

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1 ALSO TO PROJECT ISSUES THAT MAY SURFACE, LIKE THE AGING OF OUR
2 STAFF AND THE IMPLICATIONS FROM A STANDPOINT OF THE NEXT CADRE
3 OF LEADERSHIP ACROSS INDIVIDUAL AGENCIES. THE SECOND IS THAT
4 IT S VERY HARD TO PULL TOGETHER TOTAL COMPENSATION INFORMATION
5 SO THAT WHEN YOU'RE LOOKING AT WHAT THE -- THE VALUE OF WHAT
6 THE COUNTY OFFERS IN ITS VARIOUS AGENCIES, WHEN YOU LOOK AT
7 LEAVE VALUE, WHEN YOU LOOK AT HEALTH BENEFIT VALUE, WHEN YOU
8 LOOK AT RETIREMENT VALUE AND YOU LOOK AT HOURS WORKED, ET
9 CETERA, AS WELL AS SALARY AND HOW FAST FOLKS CAN MOVE UP THE
10 STEPS THAT MAY BE ASSOCIATED WITH CERTAIN POSITIONS. IT'S HARD
11 TO REALLY GET A PICTURE WHEN YOU ONLY LOOK AT WHATEVER WAS THE
12 PERCENTAGE SALARY INCREASE, WHICH IS WHAT IS USUALLY WHAT ONE
13 SEES IN THE NEWSPAPERS AND ONE SEES HIGHLIGHTED IN THE REPORTS,
14 EITHER FROM THE EXECUTIVE OR FROM THE DIFFERENT AGENCIES. SO I
15 THINK WE NEED TO CONTINUE TO WORK ON THE TOTAL COMPENSATION
16 ISSUE AND THE DEVELOPMENT OF BENCHMARKS WITH OTHER ENTITIES,
17 LIKE OTHER COUNTY GOVERNMENTS AND THE PRIVATE SECTOR, WHERE
18 THERE ARE COMPARABLE POSITIONS TO BE ABLE TO UNDERSTAND HOW WE
19 FIT FROM A STANDPOINT OF REPORTING BOTH TO THE TAXPAYERS, WHO
20 ARE ACTUALLY WRITING THE BILL, AND TO OUR EMPLOYEES AND TO
21 OTHERS WHO MIGHT BE INTERESTED IN BECOMING EMPLOYEES IN THE
22 COUNTY, WHAT THE VALUE OF BEING AN EMPLOYEE OR THE BENEFITS OF
23 BEING AN EMPLOYEE FOR THE SEPARATE ENTITIES -- WHAT THEY'RE
24 LIKE WHEN YOU LOOK AT TOTAL COMPENSATION. THE OTHER FACT IS
25 THAT IF YOU LOOK AT ALL OF THIS INFORMATION WE ARE IN NO AREA,

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1 I THINK, AT THE LOW END OF THE TOTEM POLE FROM A STANDPOINT OF
2 SALARY AND COMPENSATION. THAT MEANS THAT WE VALUE OUR
3 EMPLOYEES ACROSS THE AGENCIES AND THAT WE PAY THEM
4 APPROPRIATELY. BUT WHEN YOU'RE AT THE HIGHER END OF THE
5 SPECTRUM, WHICH IS WHERE WE TEND TO BE, AND WHEN YOU GO
6 THROUGH THE DIFFERENT DEPARTMENT BUDGETS, AS THE COUNCIL
7 MEMBERS ARE BEGINNING TO DO, YOU WILL SEE THAT THE SIGNIFICANT
8 AMOUNT OF THE INCREASES IN THE BUDGETS OF THE INDIVIDUAL
9 DEPARTMENTS ARE IN THE WAGES, SALARIES AND BENEFITS AREAS,
10 WHICH MEANS THAT THERE IS LITTLE IN THE OTHER CATEGORIES. I
11 THINK FROM A STANDPOINT OF THE COUNTY, THAT'S WHY I WANT TO
12 SPEND SOME TIME -- GREATER TIME TALKING ABOUT PRODUCTIVITY. WE
13 IN OUR FISCAL PLAN DO NOT EVEN SHOW THAT ISSUE AS AN
14 ASSUMPTION OF SOME SAVINGS OR SOME EFFICIENCY ANYMORE. AND I
15 KNOW THAT THE INDIVIDUAL DEPARTMENTS MAY BE ABSORBING SOME
16 COSTS AND THEY CATEGORIZE THAT AS PRODUCTIVITY BUT IT REALLY
17 ISN'T AT THE LEVEL THAT I THINK WE NEED TO BE OVER THE LONG
18 RUN. AND THAT'S WHY I WANT TO HAVE THIS DISCUSSION WITH
19 SERVICE INDUSTRY, PRIVATE SECTOR FOLKS TO BEGIN TO UNDERSTAND
20 HOW THEY ADDRESS THE ISSUES OF PRODUCTIVITY OR WHAT CHOICES
21 THEY MAKE WHEN THEY ARE LOOKING AT BOTH PROJECTING NUMBERS OF
22 EMPLOYEES AND PROJECTING THE COST OF THOSE EMPLOYEES. THE
23 REALITY IS THAT WITH THE LEVELS IN DOLLARS THAT WE ARE ABOUT
24 IN THIS COUNTY AT THIS POINT, I BELIEVE IT PUTS ADDITIONAL
25 PROGRAM AND ADDITIONAL FUNDING FOR PROGRAM AT RISK UNLESS WE

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1 LOOK AT PRODUCTIVITY AT THE SAME TIME. THERE ARE WONDERFUL
2 PROGRAMS OUT THERE THAT HAVE WORKED EFFECTIVELY IN GOVERNMENT
3 ENTITIES, LIKE GAIN-SHARING INITIATIVES, OWNERSHIP BY
4 INDIVIDUAL AGENCIES OF SOME OF THE SAVINGS, COLLECTIVELY
5 WORKING WITH OUR EMPLOYEES, WHOM I BELIEVE KNOW BETTER THAN
6 ANYONE WHERE THERE IS EFFICIENCY AND HOW OPERATIONS ARE IN
7 WHATEVER FUNCTION THEY PERFORM. BUT IF YOU ARE GOING TO PAY AT
8 THE LEVELS THAT WE ARE AND CONTINUE TO DO SO AND THOSE ARE
9 JUDGMENT CALLS AND I'M NOT QUESTIONING THOSE JUDGMENT CALLS,
10 BUT THE POINT IS, IF YOU'RE GOING TO PAY AT THAT LEVEL, WE ARE
11 GOING TO HAVE FEWER EMPLOYEES, WHICH MAKES PRODUCTIVITY A
12 MAJOR ISSUE IN THE LONG RUN. SO THAT -- AND WE NEED TO
13 CONTINUE TO LOOK COLLECTIVELY WITH OUR EMPLOYEES, WITH THE
14 GENERAL PUBLIC AND OURSELVES AND THE LEADERS OF THE DIFFERENT
15 AGENCIES AT HOW WE CAN APPROACH THESE ISSUES, BEING FAIR TO
16 OUR EMPLOYEES, FAIR TO OUR TAXPAYERS AND REASONABLE INTO WHAT
17 WE CAN ASSUME IN THE FUTURE.

18
19 **COUNCIL PRESIDENT PEREZ:** MR. SUBIN?

20
21 **COUNCILMEMBER SUBIN:** THANK YOU, MR. PRESIDENT. I DON'T KNOW IF
22 THIS IS GOING TO BE THE TIME TO REALLY GET INTO THESE ISSUES,
23 BUT I UNDERSTAND THE ISSUES ON PRODUCTIVITY. THE PROBLEM I
24 HAVE WITH USING PRODUCTIVITY -- AND I'M NOT REALLY SURE THERE
25 ARE ANY OTHER MEASURES YOU CAN USE, BUT I THINK IT'S

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1 PROBLEMATIC. FIRST OF ALL, I'VE ALWAYS HAD A REAL PROBLEM WITH
2 COST-BENEFIT ANALYSIS BECAUSE YOU CAN TURN IT AROUND ANY WAY
3 YOU WANT AND WHAT ARE THE BENEFITS YOU'RE LOOKING FOR? YOU CAN
4 KEEP REDEFINING THE BENEFITS AND END UP WITH A DIFFERENT
5 RESULT. YOU CAN SAY, WELL, HERE'S THE BENEFIT THAT WE WANT AND
6 THE BENEFIT IS GOING TO IMPACT VERY FEW PEOPLE AND IT'S GOING
7 TO BE COSTLY. BUT THAT'S THE ROUTE THAT YOU WANT TO GO. THE
8 COSTS CAN BE SMALL AND THE BENEFITS BE GREAT BECAUSE IT'S
9 EASIER TO HAVE AN IMPACT. AND THEN I'M NOT SURE, AS HARD AS I
10 HAVE TRIED OVER THE YEARS TO FIGURE OUT, HOW DO YOU MEASURE
11 THE PRODUCTIVITY OF A FIREFIGHTER? OR OF A PATROL OFFICER? IS
12 IT THE NUMBER OF FIRES THEY'VE PUT OUT? WELL, YOU KNOW, YES,
13 IT S THE NUMBER OF FIRES THEY'VE PUT OUT BUT THAT IS ALWAYS
14 GOING TO DEPEND ON THE BEHAVIOR OF PEOPLE IN THE STREET AND
15 NOT THE FIREFIGHTERS THEMSELVES. AND THE MORE AGED YOU HAVE IN
16 YOUR POPULATION, THE MORE E.M.T.S AND PARAMEDICS YOU HAVE OUT
17 THERE AND PER-PERSON, PER PARAMEDIC OR E.M.T. THE PRODUCTIVITY
18 MAY NOT GO UP BUT THE NUMBER OF LIVES SAVED IS GOING TO GO UP.
19 AND THE REAL ISSUE MAY NOT BE A FIREFIGHTER OR THE E.M.T.,
20 IT S WHAT ARE THE HEALTH PRACTICES OF PEOPLE, WHAT IS GOING ON
21 OUT THERE THAT IS GOING TO CAUSE A NUMBER OF PEOPLE GETTING
22 SICK TO GO UP OR GO DOWN. RESPONSE TIMES ARE GOING TO VARY ON
23 DIFFERENT ISSUES. AND OUR PATROL OFFICERS -- I REMEMBER DOING
24 A STUDY A NUMBER OF YEARS AGO AND SOME RESEARCH ON CRIME AND A
25 NUMBER OF OFFICERS OUT THERE IN DIFFERENT CITIES ACROSS THE

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1 COUNTRY. AND THERE WAS JUST NO COMMONALITY. WHAT DO YOU LOOK
2 AT? DO YOU LOOK AT BURGLARY? DO YOU LOOK AT MURDERS? AND THE
3 BIG ISSUE ALWAYS SEEMED TO BE SOCIOECONOMICS AND STATE OF THE
4 ECONOMY AT THE TIME. SO, WHILE I WILL CONCEDE THAT I DON'T
5 KNOW OF ANY OTHER WAY TO LOOK AT THINGS OTHER THAN
6 PRODUCTIVITY THERE ARE A NUMBER OF AREAS WHERE I WOULD
7 QUESTION ITS VALIDITY IN TERMS OF MAKING A DECISION ON WHERE
8 YOU GO.

9

10 **COUNCIL PRESIDENT PEREZ:** THANK YOU, MR. SUBIN. MR. KNAPP?

11

12 **COUNCILMEMBER KNAPP:** THANK YOU, MR. PRESIDENT. JUST TO FOLLOW
13 ONTO THE COMMENTS MADE BY MR. SUBIN AND MS. PRAISNER. I THINK
14 BOTH RAISE VERY GOOD POINTS. AND I GUESS HAVING GONE THROUGH
15 SOME OF THE BUDGET STUFF OVER THE LAST MONTH OR SO, REACHING
16 SIMILAR CONCLUSIONS THAT WE'RE KIND OF BEGINNING TO TOP OUT,
17 THAT THERE'S NOT A LOT OF ROOM LEFT IN THE BUDGET TO DO A LOT
18 OF ADDITIONAL THINGS, THAT WE HAVE REALLY GOOD EMPLOYEES. AND
19 WE TRY TO COMPENSATE THEM WELL, THAT DOESN'T SAY, I MEAN WE
20 PROBABLY COULDN'T DO BETTER IN DIFFERENT AREAS. BUT, I'VE
21 ALWAYS FOUND IT DIFFICULT FOR FOLKS IN OUR CAPACITY, ON THIS
22 SIZE OF THE DAIS OR EVEN FROM A MANAGEMENT PERSPECTIVE AND THE
23 COUNTY EXECUTIVE'S ROLE OR THE C.E.O.'S ROLE ACROSS THE STREET,
24 TO COME UP WITH WAYS TO MEASURE HOW PEOPLE ARE DOING BETTER.
25 WE'RE ALL IN THIS AS ONE BIG TEAM AND THE FOLKS WHO ARE DOING

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1 THE JOB KNOW BETTER HOW TO DO THE JOB. AND I THINK WE OUGHT TO
2 REALLY ENGAGE THEM. NOT FOR US TO TRY AND DEFINE WHAT
3 PRODUCTIVITY OR EFFICIENCIES ARE BUT TO REALLY TO ENGAGE OUR
4 EMPLOYEES AND PROVIDE THE APPROPRIATE PERFORMANCE INCENTIVES
5 OR ENHANCEMENTS OR WHATEVER IT IS TO ENCOURAGE THEM TO REALLY
6 COME BACK WITH THE IDEAS TO TELL US HOW THOSE EFFICIENCIES
7 SHOULD BE MODELED, MEASURED, SCHEDULED, IDENTIFIED. HOW DO
8 THEY DO THE JOB BETTER AND HOW DO WE SUPPORT THEM IN THAT
9 CAPACITY? AND I THINK WE, AS MRS. PRAISNER, IF SHE GOES AHEAD
10 WITH THE DISCUSSION THAT SHE'D LIKE TO HAVE THIS SUMMER, WHICH
11 I HOPE THAT SHE DOES, THAT WE REALLY NOT ONLY LOOK AT SERVICE
12 SECTOR FROM THE OUTSIDE BUT REALLY TOUCH BASE WITH OUR
13 EMPLOYEES ON THE INSIDE AND SEE, REALLY ENGAGE THEM AS TO HOW
14 CAN WE BEGIN TO THINK ABOUT THE PARADIGM DIFFERENTLY? BECAUSE
15 WE CAN SIT HERE A LOT AND COME UP WITH WONDERFUL MEASURES BUT
16 UNTIL THEY TELL US HOW TO DO IT AND HOW TO MAKE IT WORK BETTER
17 WE'RE GOING TO BE SHOOTING IN THE DARK. AND SO I WOULD URGE US
18 TO MAKE SURE THAT WE INCLUDE OUR EMPLOYEES AS A PART OF THAT
19 DIALOGUE BECAUSE THEY KNOW HOW TO DO THE JOB BETTER AND MORE
20 EFFICIENTLY AND WHAT KIND OF SUPPORT THEY NEED TO MAKE THAT
21 HAPPEN.

22
23 **COUNCILMEMBER FLOREEN:** WELL, I JUST WANTED TO ADD MY COMMENTS
24 TO WHAT'S BEEN SAID. WE DO NEED TO BE EFFECTIVE AND EFFICIENT
25 IN COUNTY GOVERNMENT. BUT I HAVE TO SAY THIS ISN'T THE PRIVATE

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1 SECTOR AND WE'RE SERVING NEEDS UNDER CONSTRAINTS OR OBJECTIVES
2 THAT ARE REALLY QUITE DIFFERENT. THE ISSUE OF PUBLIC PROCESS,
3 THE ISSUE OF REACHING OUT AND COMMUNICATING, THE ISSUE OF
4 FILLING OUT A MILLION FORMS BEFORE YOUR CLASS IS GOING TO MOVE
5 TO THE NEXT GRADE, YOUR ISSUE OF ADDRESSING A MYRIAD OF PUBLIC
6 PERCEPTION ISSUES AND COMMUNICATION ISSUES. I THINK THAT ALL
7 FEEDS INTO WHAT WE EXPECT OF COUNTY EMPLOYEES AND REALLY IS
8 IMMEASURABLE. WHAT'S MEASURABLE IS THE SUCCESS OF THE VARIOUS
9 PROGRAMS, THE NUMBER OF PEOPLE -- LET'S HOPE WE DO SAVE
10 EVERYONE AFFECTED BY A FIRE OR IN AN AUTOMOBILE ACCIDENT.
11 LET'S HOPE THAT OUR CHILDREN WILL EXCEED OUR EXPECTATIONS AS
12 THEY GRADUATE FROM THE SCHOOL SYSTEM. BUT THE CHALLENGES
13 CHANGE EVERY DAY. THAT'S PART OF THE BUDGET PROCESS THAT WE'RE
14 DEALING WITH RIGHT NOW IN TRYING TO MEET THOSE CHALLENGES. AND
15 ITS SUCCESS IS NOT EASILY MEASURED. THE REAL QUESTION FOR US
16 AS WE GET INTO THE BUDGET PROCESS -- AND WE'RE IN THE MIDDLE
17 OF IT NOW -- IS CAN WE BE EVERYTHING TO EVERYONE, I THINK? BUT
18 CAN WE MEASURE IT WITH PINPOINT NUMBERS AND PROJECTED
19 OBJECTIVES THAT WE CAN MEASURE OUR SUCCESS BY? WE CAN SAY WE
20 CAN. AND THERE ARE SOME ELEMENTS WHERE WE CAN BE A LITTLE
21 CLEARER, WHEN YOU ARE MEASURING THE NUMBER OF PERMITS APPROVED,
22 IF THEY'RE SIMPLE, WHERE YOU'RE MEASURING SIMPLE THINGS. BUT
23 OUR JOB IS NOT TO DO THE SIMPLE THINGS; OUR JOB IN COUNTY
24 GOVERNMENT IS TO DO THE HARD THINGS, FRANKLY. AND I DON'T
25 THINK THAT'S A SIMPLE TASK, NOR DO I THINK IT'S A MEASURABLE

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1 TASK AS WELL. SO, I JUST COMMENT, THESE ARE GOOD OBJECTIVES, I
2 REALLY SUPPORT THE M.F.P.'S RECOMMENDATIONS ON ALL THIS. BUT I
3 THINK WE NEED TO BE CAREFUL ABOUT SUGGESTING THAT WE CAN
4 PROVIDE A PRECISE ACHIEVEMENT OF MEASURABLE RESULTS AS -- IN
5 COUNTY GOVERNMENT. WE NEED TO BE CAREFUL ABOUT WHAT WE DO AND
6 HOW WE SPEND OUR MONEY. BUT WE HAVE TO ADMIT THAT THE NEEDS
7 OUT THERE ARE GREAT. THEY ARE COMPLICATED. SOME OF THEM TAKE A
8 LOT OF TIME TO ADDRESS. AND WE CANNOT BE CERTAIN OF THE
9 RESULTS. SO, I JUST WANTED TO THANK THE COMMITTEE FOR ITS
10 RECOMMENDATIONS, MR. DENIS IN PARTICULAR FOR HIS PRESENTATION.
11 BUT I WANTED TO ADD THAT CAVEAT TO OUR CONVERSATION. THANKS.

12
13 **COUNCIL PRESIDENT PEREZ:** THANK YOU. I WANTED TO THANK MR.
14 DENIS AND MEMBERS OF THE M.F.P. COMMITTEE FOR THEIR TYPICAL,
15 VERY VIGILANT SERVICE. I DID WANT TO FOCUS BACK ON CIRCLE 17,
16 BECAUSE I'VE MENTIONED THIS BEFORE, BUT I CONTINUE TO BE AT A
17 LOSS. THIS DATA IS, INDEED, STAGGERING TO ME, WHEN WE LOOK AT
18 THE COST OF DOING BUSINESS. I'VE SAID A NUMBER OF TIMES THAT -
19 - I'VE HEARD IT DISCUSSED IN THE CONTEXT OF OUR DEBATE ON THE
20 CHARTER LIMIT, THAT EVERY AGENCY CAN GET A 7% BUDGET INCREASE
21 AND STILL STAY WITHIN THE CHARTER LIMIT. AND THIS IS THE BEST
22 EVIDENCE TO SHOW THAT THAT IS ACTUALLY AN INACCURATE STATEMENT
23 BECAUSE IN ORDER TO MEET THE COST OF DOING BUSINESS IN A
24 NUMBER OF CONTEXTS, RETIREE BENEFITS, THE COUNTY GOVERNMENT
25 COST OF RETIREE BENEFITS IS A 30% INCREASE FROM FY05. COLLEGE,

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1 25%. THE OVERALL INCREASE, ALMOST 18%. AND SO YOU LOOK AT THIS,
2 THIS IS A -- 18% IS A STAGGERING FIGURE. I'M ASSUMING THAT --
3 AND I'M LOOKING AT YOU NOW, MR. FARBER. I'M ASSUMING THAT THE
4 MAJORITY OF THIS INCREASE IS THE COST OF HEALTH INSURANCE?

5
6 **STEVE FARBER:** YES, IT IS. THE OTHER COMPONENT IS LIFE BUT MOST
7 OF IT IS HEALTH.

8
9 **COUNCIL PRESIDENT PEREZ:** OKAY. SOONER OR LATER -- AND I KNOW I
10 WILL MAKE WHAT IS, I KNOW, A BLASPHEMOUS OBSERVATION BUT
11 SOONER OR LATER WE ARE GOING TO HAVE TO, AS A COUNTY, FIGURE
12 OUT A WAY TO CONSOLIDATE THE PURCHASING OF OUR HEALTH CARE AT
13 A MINIMUM FOR OUR RETIREES. THIS DISPARITY -- PARK AND
14 PLANNING HAS AN 8% CHANGE, COUNTY GOVERNMENT HAS A 30% CHANGE.
15 NOW, I SUSPECT THAT THAT'S NOT ALL DUE TO HEALTH INSURANCE BUT
16 WE REALLY NEED TO GET THE UNIONS AND ALL THE STAKEHOLDERS
17 AROUND THE TABLE TO HAVE A DISCUSSION. AND WE'VE GOT TO GET
18 OUT OF OUR SILOS AND BECAUSE, I MEAN THIS IS 17.8% INCREASE
19 OVER ONE YEAR. AND THIS IS THE COST OF DOING BUSINESS. AND
20 THIS IS WHY IT IS, FRANKLY, INACCURATE TO SAY THAT EVERYBODY
21 CAN GET A 7% INCREASE, BECAUSE ONCE YOU FACTOR IN THESE
22 CURRENTLY NON-CHANGEABLE COSTS OF DOING BUSINESS, YOU CAN'T
23 GET TO 7% FOR EACH AGENCY BECAUSE -- UNLESS YOU WANT TO SAY
24 WE'RE NOT GOING TO FUND RETIREE BENEFITS, WHICH I DON'T THINK
25 ANYBODY IS GOING TO SAY. EVEN MARVIN WOULDN'T SAY THAT, MY

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1 GOOD FRIEND MARVIN. YES. AND SO, I MEAN SOONER OR LATER -- AND
2 I HOPE IT'S SOONER RATHER THAN LATER -- ALL THE STAKEHOLDERS,
3 INCLUDING THE UNIONS, INCLUDING FOLKS FROM JOE ADLER'S SHOP,
4 INCLUDING FOLKS FROM PARK AND PLANNING, INCLUDING FOLKS FROM
5 MONTGOMERY COLLEGE, INCLUDING FOLKS FROM M.C.P.S., I HOPE WE
6 CAN SIT DOWN AND HAVE A DISCUSSION ABOUT WHAT WE NEED TO DO TO
7 GET A REIN ON THIS ISSUE, BECAUSE IT -- 17.8% IS AN
8 UNSUSTAINABLE TRAJECTORY AND WE CAN DO BETTER. WE'VE ALREADY
9 SEEN IN IT THE WORK THAT WES GIRLING HAS DONE IN TERMS OF
10 LEADING THE EFFORT IN THE HEALTH CARE CONTEXT. AND YOU SEE THE
11 BEGINNINGS OF CONSOLIDATION OF PURCHASING POWER AND HOW THAT
12 HAS BENEFITED THE TAXPAYER AND THE SCHOOL SYSTEM AND THE OTHER
13 PARTICIPATING COMPONENTS. WES HAS DONE A BANG-UP JOB OF
14 LEADING THE EFFORT, ALONG WITH ERIC AND A NUMBER OF OTHER
15 PEOPLE. AND WE'RE SEEING IMPROVEMENT THERE BUT WE CAN DO MUCH,
16 MUCH MORE IN ADDITION. AND THESE ARE REAL DOLLARS, MILLIONS
17 AND MILLIONS OF DOLLARS THAT WE CAN SAVE, BUT WE'RE GOING TO
18 HAVE TO GET A HANDLE ON IT AND THINK A LITTLE BIT DIFFERENTLY
19 AND WE'RE GOING TO HAVE TO COME TO THE TABLE. AND SOME FOLKS
20 MAY HAVE TO GIVE IN TERMS OF THE ISSUE OF CONTROL, BUT WE
21 CANNOT AFFORD TO SUSTAIN THE SILO MENTALITY OF FUNDING THESE
22 ISSUES BECAUSE WE DO IT AT THE EXPENSE OF CRITICAL SERVICES
23 OVER TIME. SO, CIRCLE 17 FOR ME IS THE MOST TROUBLING CIRCLE
24 ON THIS PACKET AND I WILL CONTINUE TO BEAT THAT DRUM WITH
25 REGULARITY BECAUSE WE HAVE TO DO SOMETHING ABOUT THAT. THANK

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1 YOU, MR. DENIS, FOR A GREAT PRESENTATION AND THANK YOU TO THE
2 OTHERS -- MR. KNAPP?

3
4 **COUNCILMEMBER KNAPP:** I JUST WANTED TO MAKE ONE COMMENT. AND I
5 AGREE WITH 98% OF WHAT YOU JUST SAID, MR. PRESIDENT. IN GOING
6 THROUGH THE DOCUMENTS LAST NIGHT, CLEARLY AND IN HAVING
7 CONVERSATIONS WITH CHUCK SHERER AND STEVE FARBER, CLEARLY WE
8 ARE REACHING A POINT WHERE WE HAVE AN UNSUSTAINABLE TRAJECTORY
9 WITH PERSONNEL HEALTH CARE COSTS AND WE ARE GOING TO HAVE TO
10 SIT DOWN AND HAVE THAT CONVERSATION. AND I APPRECIATE THAT
11 REMARK. THE ONE POINT I GUESS I WOULD TAKE SOME EXCEPTION TO
12 IS, IF YOU LOOK AT CIRCLE 17, THE NOTION THAT BECAUSE OF THE
13 PERCENTAGE INCREASES ASSOCIATED WITH PERSONNEL, BEING ABOVE OR
14 BELOW THE 7.- WHATEVER PERCENT THAT WOULD ALLOW THOSE AGENCIES
15 TO STAY WITHIN THE CHARTER LIMIT. BECAUSE THOSE NUMBERS, THE
16 PERCENTAGE MAY EXCEED IT HERE DOESN'T NECESSARILY MEAN THAT
17 EACH OF THOSE AGENCIES OR DEPARTMENTS CAN'T STAY WITHIN A
18 MACRO PERCENTAGE INCREASE. THERE ARE SOME WHERE THAT'S TRUE
19 AND I DON'T DISAGREE. BUT I JUST THINK IT'S IMPORTANT THAT THE
20 PERCENTAGES -- WE CAN TALK A LOT ABOUT PERCENTAGES AND THERE'S
21 LOTS OF DISCUSSION GOING BACK AND FORTH. AND THESE PERCENTAGE
22 INCREASES ARE SIGNIFICANT. BUT TO LOOK AT THESE PERCENTAGES
23 AND SAY THAT AS A RESULT OF THIS YOU CAN'T STAY WITHIN A
24 CHARTER LIMIT NUMBER MAY NOT NECESSARILY BE TRUE. AND SO I
25 JUST WANTED TO -- I AGREE WITH LITERALLY 98%. AND I THINK THAT

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1 WE'RE GETTING TO THE SAME POINT, THAT WE'VE GOT TO HAVE A
2 DISCUSSION ABOUT HOW WE LOOK AT ALL OF THESE INCREASING COSTS.
3 AND I THINK THAT THERE'S A TRAIN WRECK THAT'S GOING TO HAPPEN
4 SOME TIME IN THE NOT-SO-DISTANT FUTURE AND WE'RE GOING TO
5 REALLY NEED TO ENGAGE BEFORE THAT TRAIN WRECK OCCURS. BUT IT
6 DOESN'T NECESSARILY TRANSLATE INTO WE CAN'T STAY WITHIN A
7 CHARTER LIMIT. THAT DOESN'T MEAN IT'S GOING TO BE EASY AND IT
8 DOESN'T MEAN IT'S GOING TO BE STRAIGHTFORWARD BUT I THINK THAT
9 THE NUMBERS ARE THERE THAT WE, YOU KNOW, TO BE SHOOTING FOR
10 THAT. I JUST WANTED TO RAISE THAT POINT.

11
12 **COUNCIL PRESIDENT PEREZ:** MR. LEVENTHAL?

13
14 **COUNCILMEMBER LEVENTHAL:** IF WE ARE GOING TO GET INTO THIS
15 DEBATE, I'M GOING TO PARTICIPATE IN IT NOW.

16
17 **COUNCIL PRESIDENT PEREZ:** I DIDN'T MEAN TO GET US INTO THIS
18 DEBATE.

19
20 **COUNCILMEMBER LEVENTHAL:** NO, NOR DID I. I JUST WANT--

21
22 **COUNCILMEMBER DENIS:** CAN WE HAVE A DIVERSION? PHIL, WHY DON'T
23 YOU BRING UP THE PERCENTAGE OF OUR ECONOMIC DEVELOPMENT, THE
24 STRATEGIC PLANNING END, SO WE CAN TALK ABOUT THAT?

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1 **COUNCILMEMBER ANDREWS:** THAT'S ANOTHER MEETING. [OVERLAPPING
2 VOICES]

3

4 **COUNCILMEMBER LEVENTHAL:** OKAY. WE CAN STAY WITHIN THE CHARTER
5 LIMIT. AND THERE ARE REAL COSTS. AND THAT'S WHAT WE HAVE TO
6 FACE UP TO. AND SO I APPRECIATE THOSE OF MY COLLEAGUES WHO
7 HAVE THE COURAGE OF THEIR CONVICTIONS AND WHO ARE WILLING TO
8 MAKE HARD CUTS AND WHO ARE WILLING TO ANSWER THE E-MAIL AND TO
9 STAND UP IN FRONT OF THE COMMUNITY GROUPS AND SAY, WE COULDN'T
10 AFFORD TO DO WHAT YOU ASKED US TO DO AND WE'RE NOT GOING TO DO
11 IT. WHAT WE CANNOT DO IS TO PROMISE EVERYTHING TO EVERY GROUP
12 THAT COMES BEFORE US OR THAT E-MAILS US, AND THEN HIT THE
13 CHARTER LIMIT. THAT WE CANNOT DO. YESTERDAY IN THE H.H.S.
14 COMMITTEE WE MADE A JUDGMENT TO PLACE ON THE RECONCILIATION
15 LIST DRUG ADDICTION SERVICES FOR HOMELESS PEOPLE WHO ARE
16 GETTING THE DRUG COUNSELING NOW. WE WOULD TELL HOMELESS DRUG
17 ADDICTS THAT THE HELP THAT THE COUNTY IS GIVING THEM TO GET
18 THEIR LIVES IN ORDER AND GET OFF THE STREETS IS NO LONGER
19 AVAILABLE. WE MADE THAT DECISION. IT'S NOT THE ONLY TOUGH
20 DECISION WE MADE IN THE H.H.S. COMMITTEE. IT'S NOT THE ONLY
21 TOUGH DECISION WE'RE GOING TO MAKE. I HAVE TRIED TO BE VERY
22 CLEAR WITH EVERY GROUP THAT HAS VISITED ME AND IN RESPONSE TO
23 EVERY E-MAIL, AND I HAVE RECEIVED AND I WOULD URGE MY
24 COLLEAGUES WHO ARE ADVOCATING TO THE CHARTER LIMIT TO BE VERY
25 CLEAR. THE PROBLEM WE HAVE, IS IF WE THINK WE CAN GAIN

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1 POLITICAL BENEFIT BY SAYING YES TO EVERYONE AND CLAIMING WE
2 CAN GET TO THE CHARTER LIMIT. WE CAN HAVE A CHARTER LIMIT AND
3 WE LL STILL HAVE A GOOD COUNTY AND THERE WILL BE PEOPLE WHO
4 ARE DISAPPOINTED. WE WILL CUT THE SCHOOL SYSTEM. IF WE'RE
5 GOING TO GET TO THE CHARTER LIMIT WE HAVE TO CUT THE M.C.P.S.
6 BUDGET. IF WE'RE GOING TO GET TO CHARTER LIMIT, WE ARE GOING
7 TO CUT THE ARTS. IF WE'RE GOING TO GET TO THE CHARTER LIMIT,
8 WE ARE GOING TO CUT SOCIAL SERVICES. WE'RE GOING TO CUT MENTAL
9 HEALTH CARE. WE'RE GOING TO CUT POLICE OFFICERS. WE'RE GOING
10 TO CUT FIRE AND RESCUE EQUIPMENT. WE'RE GOING TO CUT LIBRARY
11 MATERIALS. WE ARE GOING TO CUT THE PARKS. WE CAN GET TO THE
12 CHARTER LIMIT. WE CAN DO THAT. THAT'S WHAT IT'S GOING TO TAKE.
13 WE RE GOING TO SAY "NO" TO A LOT OF PEOPLE. A LOT OF OUR
14 CONSTITUENTS WHO ARE WRITING TO US AND VISITING US. AND WE CAN
15 GET THERE. AND THE COUNTY WILL SURVIVE. AND SOME PEOPLE WILL
16 BE HURT. THAT'S WHAT IT'S GOING TO COST.

17
18 **COUNCIL PRESIDENT PEREZ:** MR. SUBIN.

19
20 **COUNCILMEMBER SUBIN:** I THINK I AGREE WITH MY COLLEAGUE,
21 GENERAL SHERMAN LEVENTHAL, THAT THIS IS NOT THE APPROPRIATE
22 TIME TO HAVE THE DEBATE. MY LIGHT WAS ON TO SAY THAT THE WORK
23 -- THAT WE DO HAVE THE RESULTS OF THE HOLLOWAY TASK FORCE, MR.
24 PRESIDENT, AS MORE THAN A SOLID STARTING POINT IN TRYING TO
25 CUT THINGS BACK. AND I DON'T THINK THAT WE'VE DONE ENOUGH TO

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1 LOOK AT THAT IN TERMS OF WHERE WE MIGHT FIND SOME SAVINGS IN
2 BENEFITS WITHOUT NECESSARILY TAKING THINGS AWAY. BUT I -- IN
3 ALL SERIOUSNESS, I DO AGREE WITH THE COUNCIL VICE PRESIDENT,
4 THAT THIS IS NOT THE FORUM TO START ADDRESSING THE ISSUES
5 ABOUT THE CHARTER LIMIT.

6
7 **COUNCIL PRESIDENT PEREZ:** MS. PRAISNER?

8
9 **COUNCILMEMBER PRAISNER:** I JUST WANTED TO COMMENT THAT
10 PRODUCTIVITY MAY LOOK DIFFERENT IN THE SERVICE INDUSTRY THAN
11 IT IS IN A WIDGET DEVELOPMENT AND PRODUCTION LINE. THOSE ARE
12 THE KINDS OF ISSUES WE'RE GOING TO TRY AND DISCUSS. I DO
13 BELIEVE, JUST AS MR. SUBIN IN THE PAST HAS ASKED THE PRIVATE
14 SECTOR TO HELP THE SCHOOL SYSTEM, IN LOOKING AT ITS BUSINESS
15 PRACTICES, THERE ARE THINGS WE CAN LEARN FROM THE PRIVATE
16 SECTOR. NOT EVERYTHING IS TRANSFERABLE, OBVIOUSLY. BUT THAT
17 DOESN'T MEAN THAT WE CAN'T LOOK AT THESE ISSUES. THERE MAY BE
18 SOME FUNCTIONS THAT HAVE NO COMPARABILITY BUT WE CAN STILL
19 LOOK AT THEM. WE HAVE A WHOLE LIST, INCLUDING THOSE THAT WE
20 HAVE REVIEWED WITHIN THE M.F.P. COMMITTEE OF RECOMMENDATIONS
21 FROM COMMITTEES AND TASK FORCES, SOME OF WHOM HAVE BEEN
22 MENTIONED ALREADY. WE ALSO HAVE COUNCIL RESOLUTIONS ON
23 DIRECTIONS TO THE AGENCIES ON THESE ISSUES, SOME OF WHICH WILL
24 NEED TO BE REVIEWED AGAIN AND SOME OF WHICH WILL HAVE TO BE
25 ADDED TO. THE POINT I WAS TRYING TO MAKE AT THE BEGINNING IS

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1 THE POINT THAT MR. KNAPP WAS TRYING TO MAKE, THAT -- THE
2 QUESTION OF SUSTAINABILITY AND WHAT WE CAN ACHIEVE. IT'S THE
3 COMMENT THAT MR. PEREZ MAKES AS WELL WHEN HE IDENTIFIES THE
4 SIGNIFICANT INCREASES IN THE BENEFITS COST, IS THAT WE HAVE TO
5 LOOK AT ALL KINDS OF STRATEGIES. THE COUNCIL MEMBERS DO NOT
6 HAVE THE WISDOM IN THIS AREA. I BELIEVE THAT OUR EMPLOYEES CAN
7 HELP US WITH HOW WE DO BUSINESS AND OTHERS IN THE COMMUNITY
8 CAN ALSO HELP US AS WELL.

9
10 **COUNCIL PRESIDENT PEREZ:** THANK YOU. OKAY, WE DON'T NEED A ROLL
11 CALL ON THIS, RIGHT? WE JUST -- JUST ALL THOSE IN FAVOR.

12
13 **SPEAKER:** MOTION AND A VOTE.

14
15 **COUNCIL PRESIDENT PEREZ:** OKAY. A COMMITTEE MOTION IS ON THE
16 TABLE, ALL THOSE IN FAVOR SIGNIFY BY RAISING THEIR HANDS. IT'S
17 UNANIMOUS. OKAY. LET'S MOVE TO ITEM 6. AND I'LL TURN IT BACK
18 TO MR. DENIS, I BELIEVE, THE LEAD MEMBER ON PERSONNEL. THIS IS
19 THE --

20
21 **COUNCILMEMBER DENIS:** THANK YOU, MR. PRESIDENT. I WANT TO THANK
22 CHAIRMAN PRAISNER, MY COLLEAGUE, MR. ANDREWS FOR WORKING ON
23 THE PREVIOUS ISSUES. I'M PLEASED THAT WE APPROVED COMPENSATION
24 AND BENEFITS FOR ALL THE AGENCIES. AND NOW WE ARE ON THE
25 RESOLUTION TO APPROVE COLLECTIVE BARGAINING AGREEMENTS. AND I

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1 WANT TO THANK MR. FADEN, OUR COUNSEL, FOR HIS ANALYSIS OF
2 THESE ISSUES AS WELL. THE CONTRACT WITH THE FIREFIGHTERS IS
3 THE ONLY COLLECTIVE BARGAINING AGREEMENT BEFORE THE COUNCIL
4 THIS YEAR. THE POLICE CONTRACT RUNS THROUGH JUNE 30, 2007. THE
5 M.C.G.E.O. CONTRACT ALSO RUNS THROUGH 2007. FOR THOSE
6 CONTRACTS THE COMMITTEE RECOMMENDED FUNDING FOR THE PAY
7 INCREASES THAT WERE INITIALLY APPROVED WHEN THE COUNCIL
8 REVIEWED THESE CONTRACTS LAST YEAR. THAT'S BEHIND US. THE
9 MANAGEMENT AND FISCAL POLICY COMMITTEE HELD A BRIEFING ON THE
10 FIRE CONTRACT ON APRIL 18 AND A WORK SESSION ON APRIL 21. I
11 HAD ASKED OUR FIRE CHIEF, TOM CARR, TO BE PRESENT ON THAT
12 OCCASION. I'M PLEASED THAT HE WAS AND WE HAD THE BENEFIT OF
13 HIS VIEWS, WHICH WERE IN SUPPORT OF THE CONTRACT. COUNCIL
14 STAFF RAISED A NUMBER OF ISSUES IN THE PACKETS, WHICH
15 COMMITTEE MEMBERS REVIEWED. BUT THE ONLY ISSUES THAT WARRANTED
16 EXTENSIVE COMMITTEE DISCUSSIONS WERE THE PAY INCREASES AND THE
17 20 YEAR RETIREMENT PROVISION. I WANT TO STATE MY OWN VIEWS AS
18 LEAD MEMBER FOR PERSONNEL. THE BOTTOM LINE FOR ME IS THAT A C-
19 O-N-T-R-A-C-T IS ENTITLED TO R-E-S-P-E-C-T. AND I DON'T THINK
20 THAT'S PRO FORMA. I DON'T THINK YOU SAY THAT AND THEN TRY TO
21 ANALYZE A LABOR AGREEMENT AS IF IT WERE AN ORDINANCE ON TREE-
22 PRUNING OR ON ANIMAL CONTROL, WHERE YOU FIND A PROVISION ON
23 CAT-LEASHING AND YOU AMEND THAT OUT. I DON'T THINK A LABOR
24 CONTRACT IS THAT WAY AT ALL. WE HAVE AN AGREEMENT BEFORE US,
25 BETWEEN THE PARTIES AND LABOR AGREEMENTS ARE NOT EASY TO

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1 ACHIEVE. AGREEMENTS OF ANY NATURE, PARTICULARLY LABOR
2 CONTRACTS, IT'S MY BELIEF, INVOLVE A LOT OF GIVE-AND-TAKE. YOU
3 HAVE ONE PROVISION THAT MAY INURE TO THE BENEFIT OF ONE SIDE
4 OF THE TABLE. AND JUST AS A PRACTICAL MATTER YOU ALWAYS HAVE
5 TO GIVE UP SOMETHING OR A LOT OF SOMETHINGS. WE HAVE TO LOOK
6 AT THE ALTERNATIVES. WHAT IF THERE WERE NO AGREEMENT? UNDER
7 THAT SCENARIO I WOULD BE OF THE SCHOOL OF THOUGHT THAT WOULD
8 SAY LOCK THE PARTIES IN A ROOM UNTIL THEY COME OUT WITH AN
9 AGREEMENT, BECAUSE I BELIEVE IN THE COLLECTIVE BARGAINING
10 PROCESS. THE PEOPLE IN THE COUNTY HAVE APPROVED CHARTER
11 CHANGES TO HAVE COLLECTIVE BARGAINING. SUCCESSIVE COUNCILS,
12 INCLUDING THIS ONE, HAVE SUPPORTED THE COLLECTIVE BARGAINING
13 PROCESS. AND I THINK IT'S ENTITLED TO RESPECT. MR. FADEN IS
14 CERTAINLY CORRECT WHEN HE SAYS THAT THE COUNCIL IS NOT BOUND
15 BY THE AGREEMENT, BUT I WOULD INSERT THE WORD "NOT
16 AUTOMATICALLY BOUND". I THINK THAT, TO ME, THERE IS A VERY
17 STRONG PRESUMPTION THAT SHOULD APPLY. I WOULD ALSO LIKE TO
18 POINT OUT IN THE ANALYSIS ON PAGE 3, IN THE SECOND PARAGRAPH,
19 THAT WHEN WE TALK ABOUT THE ARGUMENTS THAT ARE MADE TO STAY
20 CURRENT, IF NOT IMPROVE THE COUNTY'S STANDING AMONG OTHER AREA
21 JURISDICTIONS REGARDING FIREFIGHTER COMPENSATION, THAT WE'RE
22 NOT TALKING AT THIS POINT ABOUT LABOR'S POSITION, WE'RE
23 TALKING ABOUT THE CONTRACT. WE'RE TALKING ABOUT BOTH SIDES OF
24 THE TABLE. WE'RE TALKING ABOUT LABOR AND MANAGEMENT. SO I
25 THINK THOSE POINTS ARE VALID BUT I DON'T THINK THAT THEY

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1 SHOULD BE ATTRIBUTED TO ONE SIDE OF THE TABLE. WE'RE TALKING
2 ABOUT A CONTRACT. IN THE BOTTOM PARAGRAPH ON RETIREMENT, THIS,
3 OF COURSE, IS, I GUESS YOU MIGHT SAY, THE BONE OF CONTENTION
4 AND THE REASON WE DO NOT HAVE A UNANIMOUS RECOMMENDATION. MRS.
5 PRAISNER AND I VOTED TO APPROVE THE RESOLUTION. MR. ANDREWS
6 DID NOT. BUT THE PROVISION THERE IS BASED UPON AN ACTUARIAL
7 ESTIMATE, THAT 30% OF CAREER FIREFIGHTERS WOULD AVAIL
8 THEMSELVES OF THIS PROVISION IF IT WERE IN EFFECT AND WE ALSO
9 HAD EVIDENCE -- AND I THINK IT'S INCLUDED IN ONE OF THE
10 CIRCLES HERE, THERE OR SOMEWHERE, THAT THIS PROVISION IS AN
11 ACCORD WITH AGREEMENTS PRESENTLY IN EFFECT WITH OTHER MARYLAND
12 COUNTIES -- OTHER MARYLAND COUNTIES. THIS PROVISION IS NOT IN
13 EFFECT FOR THE DISTRICT OF COLUMBIA OR NORTHERN VIRGINIA. ON
14 THE NEXT PAGE OF THE ANALYSIS, THE NEXT TO THE LAST PARAGRAPH,
15 WHERE REFERENCE IS MADE TO THE ARBITRATOR AND THE D.R.O.P.
16 PLAN, ANOTHER ACRONYM, COUNTY'S DEFERRED RETIREMENT OPTION
17 PLAN. IT'S STATED THAT THE ARBITRATOR LAST YEAR REFUSED TO
18 CONSIDER THE D.R.O.P. PLAN TO BE A RETIREMENT BENEFIT.
19 PERSONALLY, THIS COUNCIL WOULD NOT HAVE USED THE WORD REFUSED.
20 IT SIMPLY DID NOT. I THINK USE OF THE WORD REFUSAL IMPLIES
21 THAT YOU ARE BEING STUBBORN. AND, OH, WHY DIDN'T YOU DO THAT
22 AND YOU SHOULD HAVE DONE IT BUT YOU REFUSED TO DO IT. THE FACT
23 OF THE MATTER IS, THE ARBITRATOR FELT TO THE CONTRARY AND DID
24 NOT BELIEVE THE D.R.O.P. PLAN TO BE A RETIREMENT BENEFIT. AND
25 AS WE GO THROUGH THE OTHER ISSUES, I THINK I'LL LET STAFF TALK

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1 ABOUT THAT. THE CHECK-OFF, NOT THE ANTON CHEKHOV, BUT THE
2 OTHER CHECK-OFF THAT WE'RE MORE FAMILIAR WITH. AND THE
3 INVESTIGATION OF INVESTIGATORS, THE GREAT QUESTION, WHO
4 WATCHES THE WATCHERS. AND ALSO IN THE LAST PARAGRAPH ON THE
5 LAST PAGE, THIS LANGUAGE DOES NOT CHANGE HOW WE CURRENTLY DO
6 BUSINESS. I GUESS THAT'S CORRECT IF YOU CAN CALL THIS AS
7 BUSINESS. IT DOESN'T CHANGE THE WAY WE DO THINGS NOW. AT LEAST
8 IN THAT PARAGRAPH. SO, AGAIN, WE HAVE THE CONTRACT BEFORE US.
9 I WOULD LIKE TO EMPHASIZE -- AND WE WERE ALL HERE FOR RABBI
10 HARRIS'S PRAYER, IN WHICH HE PROPERLY INCLUDED FIREFIGHTERS,
11 ALONG WITH PEOPLE THAT WE SHOULD BE THINKING OF. WHEN THE BELL
12 GOES OFF YOU JUST NEVER KNOW WHAT YOU'RE GOING TO BE
13 RESPONDING TO, A ROUTINE FIRE, AN ACT OF TERRORISM, SOMEONE
14 WHO'S DRUNK AND SMOKING IN BED AND ENDANGERING HIMSELF AND
15 OTHERS. AND YOU HAVE TO BE READY. YOU HAVE TO BE TRAINED. AND
16 IT MAY BE ONLY, YOU KNOW, TWO HOURS THAT YOU'RE IN BASICALLY
17 COMBAT A WEEK. BUT IN THIS ENVIRONMENT IN WHICH WE LIVE, I
18 THINK WE HAVE TO HAVE THE BEST TRAINING AND WE DO. WE ARE
19 TALKING HERE -- THIS IS NOT MANAGEMENT LEADERSHIP SERVICE
20 PEOPLE AND SALARIES. WE'RE TALKING ABOUT MIDDLE INCOME,
21 MIDDLE-CLASS PEOPLE WHO WORK FOR A LIVING AND DO PHYSICAL
22 LABOR TO PROTECT US. AND I THINK THAT WE SHOULD KEEP THAT IN
23 MIND AS WE REVIEW THESE CONTRACTS. AND YOU KNOW PARTICULARLY,
24 IT'S ALWAYS IN MY THOUGHTS -- YOU KNOW, I HAVE THIS LITTLE
25 BOOKLET OF PICTURES OF 9/11 AND RIGHT ON THE FRONT IS THE

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1 ICONIC PHOTO OF THE THREE CAREER FIREFIGHTERS, THREE
2 FIREFIGHTERS IN THE RUBBLE OF 9/11 THAT WAS TAKEN. AND SINCE
3 THIS WAS BASICALLY NEAR MY NEIGHBORHOOD MY WIFE AND I VISITED
4 AND GOT THESE PICTURES AND THEN WALKED AROUND SOME OF MY OLD
5 NEIGHBORHOODS. 343 CAREER FIREFIGHTER LOST THEIR LIVES ON THAT
6 DAY. AND HOW DO YOU ENGAGE IN RECRUITMENT AND RETENTION UNDER
7 THOSE CIRCUMSTANCES? WHETHER IT'S THE NEW YORK FIRE DEPARTMENT
8 OR THE WASHINGTON AREA FIRE DEPARTMENTS, WHEN WE KNOW THAT
9 WE'RE A TARGET. WE KNOW THAT PEOPLE IN THE REGION LOOK TO
10 MONTGOMERY COUNTY AS THE BEST AND WE HAVE THESE INTERLOCKING
11 AGREEMENTS WITH OTHER JURISDICTIONS THAT SUPPLY SERVICES WHEN
12 NEEDED. SO THERE DEFINITELY, IN MY MIND, THERE'S AN
13 OVERLAPPING HOMELAND SECURITY ASPECT TO FIRE AND RESCUE. AND I
14 THINK WE JUSTIFIABLY TAKE PRIDE IN THOSE WHO PROTECT US IN THE
15 FIRE SERVICES. AND I THINK A WAY TO RESPECT THEM IS RESPECT
16 THE AGREEMENTS THAT THEY HAMMER OUT WITH OUR TEAM. THE OTHER
17 SIDE OF THE TABLE REPRESENTS MONTGOMERY COUNTY. I MEAN THIS IS
18 AN AGREEMENT THAT WE HAVE BEFORE US THAT IS NEGOTIATED BY
19 THOSE WHO, UNDER LAW, NEGOTIATE ON BEHALF OF THE COUNTY. AND
20 ANYONE WANT TO CHANGE THAT LAW? WELL, WE CAN DISCUSS IT.
21 ANYONE WANT TO PROPOSE A BALLOT REFERENDUM TO CHANGE
22 COLLECTIVE BARGAINING? WELL, WE CAN DISCUSS THAT. BUT WE HAVE
23 IT. I PERSONALLY APPROVE OF IT. AND I THINK AS LONG AS WE HAVE
24 IT, I THINK THAT IT'S ENTITLED TO A VERY HIGH DEGREE OF
25 RESPECT. AND TO TAKE ONE ITEM OF A CONTRACT AND TO PULL IT

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1 APART, WELL, ANYONE CAN DO THAT WITH ANY ITEM IN ANY MAJOR
2 PIECE OF LEGISLATION OR ANY CONTRACT AND SO ON. SO, I'VE
3 STATED MY OWN VIEWS ON THIS, NOT NECESSARILY REFLECTING VIEWS
4 OF MY COLLEAGUES. BUT THE COMMITTEE DID VOTE 2-1 TO SUPPORT
5 THE RESOLUTION TO APPROVE THE COLLECTIVE BARGAINING AGREEMENT.

6
7 **COUNCIL PRESIDENT PEREZ:** THANK YOU, MR. DENIS. LET'S TURN TO
8 THE OTHER MEMBERS OF THE COMMITTEE, MR. ANDREWS THEN MS.
9 PRAISNER.

10
11 **COUNCILMEMBER ANDREWS:** THANK YOU, MR. PRESIDENT. WELL, THIS IS
12 THE COUNCIL'S CHANCE TO WALK THE TALK ON FISCAL RESPONSIBILITY.
13 WE DIDN'T JUST ON CIRCLE 17 LOOK AT THOSE NUMBERS AND SEE
14 THOSE NUMBERS GET THERE AS IF THEY FELL DOWN FROM HEAVEN.
15 THOSE NUMBERS ARE THERE, IN PART, BECAUSE OF ACTIONS BY
16 PREVIOUS COUNCILS AND PERHAPS THOSE NUMBERS WILL BE HIGHER IN
17 THE FUTURE AS A RESULT OF ACTIONS BY THIS COUNCIL. SO THIS IS
18 OUR CHANCE TO DEMONSTRATE FISCAL RESPONSIBILITY. I'M A PERSON
19 WHO DOES BELIEVE IN COLLECTIVE BARGAINING. I RESPECT
20 COLLECTIVE BARGAINING AND I RESPECT THE ROLE THAT THE COUNCIL
21 HAS IN COLLECTIVE BARGAINING, WHICH IS NOT TO BE A RUBBER
22 STAMP. NOW, I READ IN THE GAZETTE LAST FRIDAY THE COUNTY
23 EXECUTIVE, IN SPEAKING TO THE MONTGOMERY COUNTY BUSINESS
24 ROUNDTABLE FOR EDUCATION GALA TO A GROUP OF TEACHERS AND
25 PRINCIPALS WHO WERE THERE, SAID IN CRITICIZING THE COUNCIL FOR

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1 LOOKING AT CUTTING A PORTION OF HIS BUDGET, "WHO ARE WE TO
2 QUESTION WHAT YOU NEED?" WELL, IF THAT'S THE WAY THE COUNTY
3 EXECUTIVE APPROACHES LABOR NEGOTIATIONS, THE COUNTY IS IN
4 TROUBLE. BECAUSE IT IS OUR JOB TO QUESTION WHAT IS IN THE
5 BROAD INTEREST OF THE COUNTY. IT'S NOT SUFFICIENT THAT THE
6 FIREFIGHTERS WANT A PROVISION OR WANT A CONTRACT FOR IT TO WIN
7 APPROVAL. IT'S NOT SUFFICIENT THAT THE COUNTY EXECUTIVE HAS
8 AGREED TO A CONTRACT. WHAT'S REQUIRED IS THAT IT BE IN THE
9 PUBLIC INTEREST. AND THAT'S THE DETERMINATION THAT THE COUNTY
10 COUNCIL MUST MAKE. NOW, I RESPECT DIFFERENCES OF OPINION AND I
11 RESPECT IF MY COLLEAGUES BELIEVE THIS CONTRACT IS IN THE
12 PUBLIC INTEREST, THAT IS, OF COURSE, THEIR RIGHT. I BELIEVE IT
13 IS NOT. AND I BELIEVE THAT IT IS A CONTRACT THAT IS
14 UNREASONABLE, UNWISE AND EXTRAORDINARILY EXPENSIVE. IT'S
15 UNREASONABLE BECAUSE THE COUNTY DOES NOT NEED TO SPEND -- TO
16 COMMIT TO SPENDING \$40 MILLION MORE OVER THE NEXT THREE YEARS,
17 WHICH IS THE ADDITIONAL COST OF THIS CONTRACT ABOVE CURRENT
18 OBLIGATIONS, TO SECURE OUTSTANDING FIRE SERVICE. WE HAVE AN
19 EXCELLENT DEPARTMENT, AN EXCELLENT FIRE AND RESCUE SERVICE. WE
20 ARE BLESSED WITH DEVOTED EMPLOYEES, DEDICATED EMPLOYEES WHO
21 HAVE DEDICATED THEIR CAREERS TO SERVING OTHERS. AND I GREATLY
22 RESPECT THAT. WE COMPENSATE THEM WELL. WE PROVIDE ATTRACTIVE
23 RETIREMENT BENEFITS AND OUTSTANDING HEALTHCARE COVERAGE AND WE
24 SHOULD CONTINUE TO DO THAT. THIS CONTRACT, THOUGH, GOES BEYOND
25 WHAT IS NECESSARY TO PROVIDE THOSE EXCELLENT BENEFITS. AND I

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1 DON'T JUST OPPOSE THE 20-YEAR PROVISION. I OPPOSE THE CONTRACT
2 AS WHOLE BECAUSE THE COST IS SIMPLY TOO LARGE AND I THINK THE
3 PAY INCREASES ARE ALSO TOO LARGE OVER THE THREE-YEAR COURSE OF
4 THE CONTRACT. I THINK WE HAVE TO KEEP IN MIND THAT WHENEVER
5 YOU'RE LOOKING AT GENERAL WAGE ADJUSTMENTS, THIS WAS REFERRED
6 TO A LITTLE BIT EARLIER, THERE ARE ALSO INCREMENTS THAT KICK
7 IN FOR THOSE NOT AT THE TOP OF THEIR GRADE AT 3-1/2% PER YEAR.
8 SO, THAT IS ALSO PART OF THE CONTRACT. AND SO WHEN YOU ADD
9 THOSE TO THE GENERAL WAGE ADJUSTMENTS THAT ARE IN THE CONTRACT,
10 I THINK THEY ARE LARGER THAN NECESSARY TO PROVIDE EXCELLENT
11 COMPENSATION. SO, FOR THAT REASON THE CONTRACT IS UNREASONABLE.
12 THE CONTRACT IS ALSO UNREASONABLE BECAUSE WE DO NOT NEED TO
13 PROVIDE A 20-YEAR RETIREMENT TO REMAIN COMPETITIVE IN
14 ATTRACTING RECRUITS. WE ARE DOING VERY WELL IN ATTRACTING
15 RECRUITS INTO THE FIRE SERVICE AND THAT'S A TRIBUTE TO THE
16 NUMBER OF PEOPLE IN THE COMMUNITY THAT WANT TO SERVE AND THE
17 REPUTATION OF OUR FIRE SERVICE, WHICH IS OUTSTANDING. I
18 BELIEVE THERE ARE MUCH MORE TARGETED WAYS, SUCH AS SIGNING
19 BONUSES, TO ATTRACT RECRUITS, IF THAT IS NECESSARY. AND THE
20 EVIDENCE HAS NOT BEEN PRESENTED THAT WE ARE IN TROUBLE IN
21 TERMS OF RECRUITING APPLICANTS TO OUR FIRE SERVICE. I THINK
22 THE CONTRACT IS ALSO UNWISE BECAUSE IT WILL RESULT IN SOME
23 FIREFIGHTERS -- AND PERHAPS MANY -- LEAVING EARLIER THAN THEY
24 DO NOW, AT 20 YEARS RATHER THAN AT 25. IN ADDITION, OTHER
25 BARGAINING UNITS WILL FOLLOW SUIT IN THEIR REQUESTS FOR

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1 SIMILAR TREATMENT. THIS IS VERY PREDICTABLE. AND WE CAN BE
2 SURE THAT THERE WILL BE A CONTRACT REQUEST -- VERY LIKELY A
3 CONTRACT BACK BEFORE THIS BODY IN A COUPLE OF YEARS WITH THE
4 FRATERNAL ORDER OF POLICE WITH SIMILAR PROVISIONS, IF THE
5 COUNCIL GIVES THE GREEN LIGHT TO THIS CONTRACT. THIS CONTRACT
6 IS EXTRAORDINARY COSTLY BECAUSE THE PROVISIONS COMBINE TO PUSH
7 UP COSTS. FOR EXAMPLE, YOU COMBINE THE 20-YEAR RETIREMENT
8 PROVISION WITH THE FACT THAT YOU HAVE SIGNIFICANTLY HIGHER PAY
9 INCREASES OVER THE COURSE OF THE CONTRACT AND RETIREMENTS
10 BEING BASED ON THE HIGHEST-PAYING YEARS. YOU SEE THE CATALYTIC
11 EFFORT, THE SYNERGISTIC EFFECT OF THE PROVISIONS WORKING
12 TOGETHER TO RESULT IN AN EXTRAORDINARILY COSTLY CONTRACT. THE
13 COST IN FY06 WOULD BE \$4.5 MILLION MORE THAN THIS YEAR. IN
14 FY07 IT'S \$15 MORE THAN THIS YEAR AND IN FY08 IT IS \$21
15 MILLION MORE THAN THIS YEAR. THE COUNTY CAN'T AFFORD THESE
16 COSTS AND OTHER COSTS THAT WOULD RESULT FROM SIMILAR CONTRACTS
17 AND KEEP TAXES AT A REASONABLE LEVEL AND MAINTAIN ROOM IN THE
18 BUDGET FOR SERVICES THAT WE ALL WANT TO PROVIDE. AS HAS BEEN
19 ALLUDED TO, THE COST OF COMPENSATION AND THE ASSOCIATED HEALTH
20 AND RETIREMENT BENEFITS IS DRIVING THE BUDGET. IT CERTAINLY IS.
21 THE PERCENTAGES OF BUDGETS THAT ARE DEVOTED TO COMPENSATION
22 RANGES FROM 65% TO 90% IN THE AGENCIES AND SO THAT IS THE
23 DRIVING FORCE. AND SO UNLESS THE COUNCIL IS WILLING TO ADDRESS
24 PERSONNEL COSTS AND EXCESSIVELY LARGE AND EXPENSIVE LABOR
25 CONTRACTS, WE WILL NOT GET A HANDLE ON COSTS AND KEEP THEM TO

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1 A REASONABLE AND SUSTAINABLE LEVEL. THERE WAS AN ARTICLE A
2 COUPLE OF DAYS AGO IN THE WASHINGTON POST THAT INTERVIEWED
3 SOME OF OUR FELLOW COUNTY RESIDENTS. AND I THOUGHT IT WAS
4 POWERFUL ARTICLE. I THOUGHT WHAT WAS MOST POWERFUL ABOUT THE
5 ARTICLE -- IT WAS ON SUNDAY. IT WAS ENTITLED "LASHING BACK AT
6 TAXES," -- WERE SOME OF THE COMMENTS BY THE PEOPLE THAT WERE
7 INTERVIEWED. ANN BRUNK, WHOSE ASSESSMENT DOUBLED FROM \$172,000
8 TO \$344,000 SINCE 2002 SAID, QUOTE, "I DON'T KNOW WHAT'S
9 HAPPENING IN MONTGOMERY COUNTY BUT I DON'T LIKE IT ONE BIT.
10 I'M A 73-YEAR-OLD WIDOW AND I HAVE TO SAVE ALL YEAR TO PAY MY
11 REAL ESTATE TAXES. ARE YOU TYING TO PUSH THE AVERAGE, UNRICH
12 WIDOWS AND WIDOWERS OUT OF THE COUNTY? SURE LOOKS LIKE IT."
13 WILLIAM DAVIS, WHO ATTENDED ONE OF OUR TOWN HALL MEETINGS IN
14 GAITHERSBURG, WAS QUOTED, AND WHOSE ASSESSMENT INCREASED BY
15 ABOUT 80% SINCE 2002 SAID, "WHAT MOTIVATED ME WAS DISGUST
16 BECAUSE I READ IN LOCAL NEWSPAPERS THAT IN SOME AREAS THEY HAD
17 INCREASED THE ASSESSMENT BY MORE THAN 63%. AND I WONDERED,
18 WELL, WHEN DO WE SEE ADDITIONAL 63% OF SERVICES TO THE
19 HOMEOWNERS IN THE COUNTY?" AND STUART CARROLL WHOSE ASSESSMENT
20 INCREASED BY \$200,000 SINCE 2002 SAID, "I'M NOT LIKE THIS TAX
21 REBEL, OKAY, THAT'S NOT ME. I'M JUST A REGULAR CONSTITUENT AND
22 I REALIZE THAT THING GOES UP AND TAX GOES UP, FINE. BUT AGAIN,
23 MY POINT WAS, THERE HAVE GOT TO BE LIMITS." NOW, THE
24 FIREFIGHTERS CONTRACT BEFORE US PROVIDES NO ADDITIONAL
25 SERVICES. IN FACT IT PROVIDES LESS SERVICES BECAUSE OF THE

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1 EARLY RETIREMENT PROVISION BUT IT WILL COST TAXPAYERS, LIKE MS.
2 BRUNK, MR. DAVIS AND MR. CARROLL MORE. AND THAT IS THE
3 TRADEOFF. THAT'S THE TYPE OF CHOICE THAT WE ARE ADDRESSING AND
4 THAT WE MUST CONFRONT AND DEAL WITH. THE COUNCIL SHOULD SEND
5 THIS CONTRACT BACK FOR RENEGOTIATION. IF THE COUNCIL WASN'T
6 WILLING TO SAY NO TO A CONTRACT LIKE THIS ONE, THE COUNTY
7 EXECUTIVE AND OTHERS WILL CONCLUDE THAT THE COUNTY COUNCIL
8 WILL SAY YES TO JUST ABOUT ANYTHING. NOW, WE HAD A DISCUSSION
9 A LITTLE EARLIER AND WE WERE HONORING THE CHESS TEAM OF
10 NORTHWEST HIGH SCHOOL. AND I WILL SAY THAT'S THE LARGEST CHESS
11 TEAM I HAVE EVER SEEN AND THAT'S A GREAT TRIBUTE TO NORTHWEST
12 HIGH SCHOOL BECAUSE CHESS IS A GAME THAT REQUIRES GREAT MENTAL
13 AND PHYSICAL AND -- ACUITY. AND AS WAS MENTIONED EARLIER,
14 CHESS REQUIRES THINKING AHEAD. ABSOLUTELY. I ACTUALLY WAS ON
15 MY JUNIOR HIGH CHESS TEAM AND GAVE IT UP FOR TENNIS BUT I CAN
16 APPRECIATE THE COMMENT, THAT CHESS REQUIRES THINKING AHEAD.
17 AND I THINK WE HAVE TO THINK AHEAD. WE HAVE TO SAY, WELL, WHAT
18 WOULD A FUTURE COUNCIL SAY ABOUT THIS ONE, LOOKING BACK FIVE
19 OR TEN YEARS FROM NOW, IF THE COUNTY COUNCIL VOTES TO APPROVE
20 THIS CONTRACT AS SUBMITTED BY THE EXECUTIVE? I THINK THEY'LL
21 SAY, WHAT WAS THE COUNCIL THINKING? WHY DID THEY HAMSTRING OUR
22 ABILITY TO FUND NEEDED SERVICES BY OBLIGATING COUNTY TAXPAYERS
23 TO LARGER-THAN-NECESSARY RETIREMENT OBLIGATIONS? WHY DID THEY
24 NOT FOLLOW THE COURSE THAT PREVIOUS COUNTY COUNCILS FOLLOWED
25 AND TOOK AND SHOWED COURAGEOUS LEADERSHIP IN WHEN 20 YEARS AGO

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1 -- THIS COUNTY COUNCIL 20 YEARS AGO REJECTED A PROPOSED 20-
2 YEAR RETIREMENT POSITION FOR THE FRATERNAL ORDER OF POLICE AND
3 TEN YEARS AGO FORCED A ROLLBACK IN A SIMILAR 22-YEAR
4 RETIREMENT PROVISION THAT THE PARK POLICE HAD NEGOTIATED? THE
5 COUNCIL WAS ACTING IN THE PUBLIC INTEREST WHEN IT DID THAT
6 BECAUSE THAT WAS WHAT IT FELT WAS NECESSARY AND FAIR. AND I
7 BELIEVE THEY WERE RIGHT. AND I URGE MY COLLEAGUES TO TAKE A
8 SIMILAR COURSE OF ACTION BECAUSE THE RETIREMENT BENEFITS THAT
9 ARE GROWING AT A VERY, VERY FAST RATE DON'T JUST HAPPEN. THEY
10 RESULT FROM DECISIONS THAT WE MAKE. THE BUCK STOPS HERE. AND
11 SO IT'S OUR OBLIGATION TO QUESTION THESE AGREEMENTS, TO LOOK
12 AT THEM BROADLY, TO DO WHAT WE THINK IS FAIR AND NECESSARY AND
13 TO TAKE THE ACTION THAT WILL SERVE THE COUNTY BEST IN THE LONG
14 TERM. I CARE A LOT ABOUT PUBLIC SAFETY. I USED TO WORK FOR THE
15 MONTGOMERY COUNTY POLICE DEPARTMENT. I'VE CHAIRED THE PUBLIC
16 SAFETY COMMITTEE NOW FIVE YEARS. I'VE CHAMPIONED FIRE SAFETY
17 MEASURES. I CARE A LOT ABOUT FAIR TREATMENT FOR WORKERS. I
18 WROTE THE LIVING WAGE LAW. I SPONSORED THE SMOKE-FREE
19 RESTAURANT LAW AND I WROTE THE LAW THAT PROHIBITS GENETIC
20 DISCRIMINATION IN THE WORKPLACE. AND SO I'M COMING AT IT FROM
21 THAT ANGLE. I THINK WE NEED AGREEMENTS THAT ARE FAIR, AND JUST
22 AND SUSTAINABLE. AND IN MY JUDGMENT, THIS DOES NOT MEET THAT
23 TEST. IT'S NOT IN THE PUBLIC INTEREST. IT IS EXTRAORDINARY
24 COSTLY AND WILL HAMSTRING THE ABILITY OF THE COUNTY TO MEET
25 ITS OTHER OBLIGATIONS AND TO SET THE RIGHT BALANCE. AND SO I

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1 CANNOT SUPPORT IT AND I HOPE MY COLLEAGUES WILL SEND IT BACK
2 FOR RENEGOTIATION TO COME BACK WITH A BETTER CONTRACT. THANK
3 YOU.

4
5 **COUNCIL PRESIDENT PEREZ:** MS. PRAISNER?

6
7 **COUNCILMEMBER PRAISNER:** THIS IS A COMPLICATED ISSUE AND IT IS
8 DIFFICULT FOR COUNCIL MEMBERS, I THINK, TO WEIGH IN, AT THIS
9 POINT IN THE PROCESS GIVEN THE COMPLEXITIES. WHILE I RESPECT
10 MY COLLEAGUE, MR. ANDREWS' CONCERNS, I CONCLUDED, AS A
11 COMMITTEE MEMBER, THAT GIVEN THE COLLECTIVE BARGAINING PROCESS
12 WE HAVE, GIVEN THE FACT THAT THE COMPONENTS OF THIS CONTRACT,
13 WHILE A DEPARTURE FROM PREVIOUS -- PREVIOUS PARAMETERS FOR
14 COLLECTIVE BARGAINING AGREEMENTS WITH EMPLOYEE ORGANIZATIONS -
15 - THE COMPONENTS ARE NOT OUTSIDE OF THE ELEMENTS OF CONTRACTS
16 ELSEWHERE WITHIN THE REGION, AS MR. DENIS INDICATED. THERE ARE
17 JURISDICTIONS WITHIN MARYLAND WITH WHICH WE COMPETE THAT DO
18 HAVE A 20-YEAR RETIREMENT FOR FIREFIGHTERS. WE HEARD FROM MR.
19 CARR, HIS CONCERNS AND THE LIKELIHOOD THAT, IN HIS VIEW, THAT
20 THE UTILIZATION OF THAT OPTION. THERE IS ALSO A DECREASED
21 BENEFIT FOR ANYONE WHO RETIRES AT THE LEVEL THAT WE'RE TALKING
22 ABOUT. SO THERE ARE LOTS OF CHOICES THAT INDIVIDUALS HAVE TO
23 MAKE IF THEY CHOOSE TO MAKE THE 20-YEAR OPTION. I DO NOT AND I
24 UNDERSTAND MR. ANDREWS' CONCERNS ABOUT THE POTENTIAL
25 IMPLICATIONS FOR OTHER BARGAINING UNITS, BUT I BELIEVE EACH

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1 ENTITY STANDS ON ITS OWN AND THAT THERE CAN BE AND SHOULD BE
2 LEGITIMATE REASONS FOR HAVING DIFFERENCES OF BENEFITS ACROSS
3 COLLECTIVE BARGAINING UNITS BASED ON THOSE INDIVIDUAL UNITS,
4 WORK FUNCTION, PERSONNEL NEEDS, RECRUITMENT NEEDS, A VARIETY
5 OF ISSUES THAT WE CAN BE TALKING ABOUT. I ALSO, THOUGH, SHARE,
6 AS I SAID WITH MY COMMENTS ABOUT WAGES AND BENEFITS ACTIONS
7 THAT WE TOOK, SOME OF THE CONCERNS ABOUT THE LONG-TERM
8 SUSTAINABILITY ISSUES AND THE CHOICES THAT THIS MAY BRING US
9 TO -- FOR ALL EMPLOYEE ISSUES. THE MORE WE PAY THE MORE OUR
10 COSTS FOR TOTAL COMPENSATION RELATED TO AN INDIVIDUAL INCREASE,
11 THE FEWER OPTIONS WE MAY HAVE FOR OTHER CHOICES. WE SHOULD
12 MAKE THOSE CHOICES ACKNOWLEDGING THERE ARE IMPLICATIONS THAT
13 MAY DEAL WITH OTHER OPTIONS FOR HOW WE MIGHT SPEND COUNTY
14 DOLLARS. THAT DOESN'T MAKE THE FIRST CHOICE WRONG. IT DOESN'T
15 MAKE AN ALTERNATIVE WRONG. IT'S JUST THE REALITY. IF YOU ARE
16 GOING TO SPEND MORE PER EMPLOYEE, YOU WILL PROBABLY HAVE TO
17 HIRE FEWER EMPLOYEES. AND THAT'S WHERE THE ISSUE OF DISCUSSING
18 THE OTHER WAYS OF DOING BUSINESS AND WORKING COLLECTIVELY WITH
19 THOSE EMPLOYEES, GIVING THEM THE APPROPRIATE TOOLS, REVIEWING
20 HOW THEY DO BUSINESS, WORKING WITH THEM TO IDENTIFY -- THAT
21 NASTY WORD, I GUESS, PRODUCTIVITY, BUT I HAVEN'T FOUND A
22 BETTER WORD AT THIS POINT, AS MY COLLEAGUES INDICATED. BUT
23 WE'RE GOING TO HAVE TO FACE THOSE ISSUES. IS THIS FIRE
24 CONTRACT A TIPPING POINT? IF IT FORCES US TO FACE THOSE
25 REALITIES, THEN IT WILL HAVE ACHIEVED ITS GOAL WHILE

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1 RESPONDING FROM A BENEFIT AREA NOT OUT OF A CONTEXT THAT IS --
2 OR NOT IN THE CONTEXT THAT IS SO UNUSUAL. IN OTHER WORDS, THE
3 BENEFITS ASSOCIATED IN THIS CONTRACT ARE NOT OUT OF KEEPING
4 WITH OTHER FIREFIGHTER BENEFIT PACKAGES. SO, THAT NEEDS TO BE
5 SAID. THE SECOND POINT THAT NEEDS TO BE SAID IS THERE'S A BIG
6 DOLLAR ITEM, A TICKET ITEM ASSOCIATED WITH THIS. THAT MEANS
7 THERE MAY BE FEWER CHOICES IN THE FUTURE FOR THE FIRE SERVICE
8 AND OTHERS AS A RESULT OF THIS CONTRACT. THAT DOESN'T MAKE THE
9 CONTRACT WRONG. THAT DOESN'T MAKE THE CHOICES WE'LL HAVE TO
10 MAKE IN THE FUTURE WRONG. THEY'RE JUST PUBLIC, WHAT I BELIEVE
11 ARE PUBLIC ACKNOWLEDGMENTS THAT WE HAVE TO MAKE OF THE
12 IMPLICATIONS. THAT SAID, I DON'T KNOW IF ANY OF MY COLLEAGUES
13 HAVE EVER SAT ON A COLLECTIVE BARGAINING PANEL OR HOW DEEPLY
14 MY COLLEAGUES HAVE BEEN INVOLVED IN COLLECTIVE BARGAINING. THE
15 ONLY INVOLVEMENT THAT I HAVE HAD WAS AS A MEMBER OF THE BOARD
16 OF EDUCATION, WHICH MEANT THAT WE SENT DIRECTION TO OUR TEAM
17 AS TO WHAT WE WANTED THE TEAM TO ACHIEVE. WE GOT FEEDBACK FROM
18 THEM AS TO WHAT HAD HAPPENED AT THE BARGAINING TABLE AND WE
19 MADE MODIFICATIONS AND MODIFIED OUR DIRECTION IN THE GIVE-AND-
20 TAKE TO ACHIEVE A CONTRACT. NO EMPLOYER AND NO COMMUNITY WANTS
21 ANYTHING OTHER THAN A CONTRACT. PREFERABLY FOR MORE THAN ONE
22 YEAR, SO YOU DON'T GO THROUGH IT ANNUALLY. I DON'T THINK THE
23 BARGAINING UNITS WANT ANYTHING MORE THAN THAT, TOO. SO WE
24 START FROM THAT PROCESS AND WE WORK TO SEE WHAT IS DOABLE. I
25 THINK HAVING BEEN HERE, WHEN IN THE EARLY 90S WE HAD TO, IN

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1 ESSENCE, SET ASIDE COLLECTIVE BARGAINING AGREEMENTS, I DON'T
2 WANT TO GO THROUGH THAT AGAIN. I ALSO THINK THE PROCESS THAT
3 INVOLVES THE COUNCIL AT THAT POINT FOR THOSE TWO-WEEK PERIODS,
4 OR WHATEVER, THE LEGISLATION WAS WRITTEN, I THINK, WITHOUT
5 UNDERSTANDING THE IMPOSSIBILITY OF THAT OR THE WAY IN WHICH IT
6 REALLY IS NOT AN ACHIEVABLE COLLECTIVE BARGAINING PROCESS.
7 THAT SAID AND THE COMMENTS IN THE PACKET, I AM NOT SUGGESTING
8 THAT THE COUNCIL SHOULD HAVE A HANDS-ON ROLE IN COLLECTIVE
9 BARGAINING. THAT'S NOT AT ALL WHAT I'M SUGGESTING, BUT I DO
10 THINK WE NEED TO LOOK AT WHEN AND HOW THE COUNCIL IDENTIFIES,
11 FROM ITS PERSPECTIVE, THE PRIORITIES IT WOULD LIKE TO SEE
12 ACHIEVED IN COLLECTIVE BARGAINING. THE GROUP INSURANCE
13 DIRECTIONS THROUGH THE HOLLOWAY COMMITTEE, THROUGH THE M.F.P.
14 COMMITTEE IN THE EARLY 90S DO IDENTIFY OBJECTIVES. AND MAYBE
15 THEY HAVEN'T BEEN TIED TOGETHER WELL ENOUGH. I THINK THOSE
16 ISSUES -- AND QUITE HONESTLY MY FRUSTRATION WITH THE MEDIATOR
17 WHO DOESN'T THINK THE D.R.O.P. PROGRAM IS A PROBLEM IS A
18 BENEFIT IS A PROBLEM. I'M NOT SURE WHAT THE MEDIATOR THINKS
19 THAT IS IF IT'S NOT A BENEFIT. SO, MR. SPARKS AND I HAD A
20 DIALOGUE BACK AND FORTH AND MAYBE WE SHOULD PICK UP A
21 DICTIONARY AND LOOK AT IT BUT I THINK IT IS A BENEFIT. IT IS
22 NOT AVAILABLE -- IT'S NOT, PERHAPS, IMPLEMENTED FOR EVERYONE
23 SO IT'S NOT A BENEFIT FROM A SALARY INCREASE THAT GOES ACROSS
24 THE BOARD, BUT CERTAINLY IS A BENEFIT AVAILABLE TO EMPLOYEES
25 AT A CERTAIN POINT IN TIME. IT'S AN OPTION. AND IT IS

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1 SOMETHING OF VALUE SO THAT'S WHERE I GET TO THE POINT OF
2 BENEFIT. SO, GIVEN THE POINT THAT WE HAD NO, EXCUSE ME,
3 MEDIATOR IN THIS CASE, NO ARBITRATOR, BECAUSE THE EXECUTIVE
4 AND THE UNION WENT THROUGH THE PROCESS OF REACHING AGREEMENT
5 FOR WHATEVER MOTIVATIONS IT MAY BE BEFORE NEEDING A MEDIATOR.
6 AND I DON'T THINK NEEDING A MEDIATOR IS ANYTHING POSITIVE, IN
7 MY VIEW, BUT THE POINT IS, WE HAVE VERY LITTLE FROM A COUNCIL
8 TO HANG A HOOK ON AT THIS POINT TO SAY WE AGREE WITH SOMEONE
9 ELSE ABOUT THESE PIECES OR THAT PIECES. THAT'S WHY, IN THE END,
10 I CONCLUDED THAT SINCE IT IS NOT OUTSIDE THE REALM OF
11 COMPARABLE CONTRACTS ELSEWHERE, SINCE THERE ARE LONG-TERM
12 ISSUES BUT THEY ARE NOT ANY DIFFERENT FROM THE LONG-TERM
13 ISSUES WE ALREADY FACE WITH GROUP INSURANCE COSTS ESCALATING,
14 WITH ALL THESE OTHER BENEFIT COSTS ESCALATING, AS MR. PEREZ
15 INDICATED, I BELIEVE THAT AT THAT POINT, GIVEN THE COUNCIL,
16 GIVEN THE STRUCTURE THAT WE HAVE, THAT THE COUNCIL AND I WOULD
17 SUPPORT THE CONTRACT.

18
19 **COUNCIL PRESIDENT PEREZ:** MR. SUBIN?

20
21 **COUNCILMEMBER SUBIN:** THANK YOU, MR. PRESIDENT. FIRST OF ALL, I
22 WOULD LIKE TO THANK MR. DENIS FOR THE HARD WORK HE DID ON THIS.
23 IT'S A GREAT JOB. I WOULD ALSO LIKE TO NOTE THAT MY COLLEAGUE
24 MR. ANDREWS HAS TAKEN A STANCE THAT IS VERY CONSISTENT WITH
25 THE STANCES IN THE PAST AND THE STANCES THAT HE'S TAKEN IN

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1 THIS BUDGET SEASON. AND FOR THAT, I THINK THAT SHOULD BE NOTED
2 ALSO. HOWEVER, I DO DISAGREE WITH WHERE MR. ANDREWS COMES OUT
3 ON THIS. FIRST OF ALL, EVERY CONTRACT STANDS ON ITS OWN. IT IS
4 HARD TO COMPARE THE FIREFIGHTERS TO THE POLICE, TO
5 ADMINISTRATIVE ASSISTANTS AND OTHERS REPRESENTED BY OTHER
6 COLLECTIVE BARGAINING UNITS HERE AND I'LL GET TO THAT LATER.
7 AS MR. DENIS AND MRS. PRAISNER NOTED, ON ANY CONTRACT THERE
8 ARE A NUMBER OF PUTS AND TAKES. AND THERE ARE THINGS PUT IN AT
9 THE BEGINNING THAT ARE IN THERE AS BARGAINING CHIPS AND THERE
10 ARE THINGS THAT ARE ON THE LIST AS EXTRAORDINARY SERIOUS ITEMS
11 THAT DON'T GO INTO THE FIRST LEVEL OF PRIORITY THAT ARE GIVEN
12 UP FOR OTHER ITEMS. AND SUCH IS THE ISSUE WITH THE 20-YEAR
13 PROVISION HERE. AND AS MR. ANDREWS NOTED, WE HAVE TURNED BACK
14 REDUCTIONS, REQUESTS FOR REDUCTIONS IN RETIREMENT SERVICES IN
15 THE PAST. AND IT'S BEEN MORE THAN ONCE AND WITH DIFFERENT
16 BARGAINING UNITS. I ALSO THINK THAT THE BOTTOM LINE ON THE
17 COST ESTIMATE OF A CONTRACT, BECAUSE OF THE VARIOUS PUTS AND
18 TAKES, PROBABLY, AT THE END OF THE DAY, ARE LIKELY TO BE THE
19 SAME. AND SO IT IS HARD, I THINK, TO SAY THAT JUST BECAUSE WE
20 ACCEPT OR REJECT THIS ONE PROVISION ON THE 20-YEAR RETIREMENT
21 RULE, THAT THE BOTTOM-LINE COSTS ARE GOING TO BE DIFFERENT AND
22 WE WOULD SAVE A LOT OF MONEY. BECAUSE WE SIMPLY DO NOT AND
23 SHOULD NOT KNOW WHAT WENT ON WITHIN THE FOUR WALLS OF
24 I.A.F.1664 IN LOOKING AT THE ISSUES HERE. IN REGARDS TO THE
25 PAY INCREASE AND COMPETITIVENESS, WE MADE A VERY CONSCIOUS

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1 DECISION LAST YEAR TO BACK THE COUNTY EXECUTIVE IN A
2 SUBSTANTIAL PAY INCREASE FOR THE FIREFIGHTERS TO MAKE THEM
3 COMPETITIVE WITH OTHER AREAS. AND THAT IS ONE OF THE ISSUES
4 THAT IS GOING TO MOST AFFECT A YOUNG PERSON COMING INTO THE
5 FIRE SERVICE HERE. THAT, AND PROBABLY THE ATTRACTION OF A
6 HOUSING BONUS SO THAT THEY CAN AT LEAST LIVE HERE, WHICH THEY
7 CAN'T NOW. YOUNG PEOPLE DON'T LOOK AT RETIREMENT. 20, 22-YEAR-
8 OLDS ARE NEVER GOING TO RETIRE, IN THEIR MINDS, BECAUSE IT IS
9 JUST AN ISSUE THAT IS SO FAR BEYOND THEIR CURRENT-DAY NEEDS
10 THAT IT NORMALLY DOES NOT PLAY A ROLE. I JUST DON'T KNOW OF
11 TOO MANY 20 OR 22-YEAR-OLDS -- MY DAUGHTERS ARE 25 AND 28 AND
12 THE WORD RETIREMENT ONLY CROSSES THEIR LIPS WHEN IT COMES TO
13 THEIR OLD MAN. SO, IT JUST ISN'T THERE. BUT I DO WANT TO GET
14 TO THE ISSUE OF THE 20 YEARS AND DO WANT TO GET TO THE
15 STATEMENTS THAT THE WASHINGTON POST AND OTHERS HAVE MADE,
16 WHICH WAS REALLY A BLANKET. WE SHOULDN'T HAVE -- WE SHOULDN'T
17 GRANT THIS 20-YEAR PROVISION BECAUSE NOBODY ELSE HAS IT. WELL,
18 HOW MANY PEOPLE DO THE JOB OF A FIREFIGHTER? CERTAINLY NOT A
19 WASHINGTON POST EDITOR. HOW MANY WASHINGTON POST EDITORS HAVE
20 EVER DONNED RUNNING GEAR AND NOT ONLY WALKED AROUND IN THAT
21 RUNNING GEAR FOR 10, 15 MINUTES, WHICH IS A PHYSICAL EXERTION
22 IN THEMSELVES, BUT HOW MANY OF THEM HAVE DONE THAT AND GONE
23 INTO A BURNING BUILDING? HOW MANY OF THEM HAVE SERVED ON A
24 COLLAPSE RESCUE TEAM AND GONE THROUGH HOURS, DAYS, IN A
25 COLLAPSED BUILDING WITH THAT EQUIPMENT, WITH THE STRESS OF

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1 TRYING TO FIND BODIES BEFORE THEY TURN INTO CORPSES AND ALSO
2 NOT KNOWING WHEN THAT FACILITY, THAT DITCH, THAT WHATEVER, IS
3 GOING TO COLLAPSE ON THEM? HOW MANY WASHINGTON POST EDITORS
4 HAVE GONE OUT AS E.M.T.S OR PARAMEDICS TO TREAT A STABBING
5 VICTIM, A GUNSHOT VICTIM OR WHATEVER ELSE, OR TO RUSH TO GET A
6 HEART ATTACK VICTIM SO THEY CAN GET THEM TO THE HOSPITAL
7 WITHIN THAT GOLDEN HOUR. GO OUT AND SERVE FOR ONE WEEK AS A
8 FIREFIGHTER. GO INTO THOSE BURNING BUILDINGS, SERVE WITH THE
9 COLLAPSE RESCUE TEAM, GO INTO THAT COLLAPSED PENTAGON. YOU
10 KNOW, GO BACK UP AND SIMULATE BEING RICHEY BOWERS, WITH HIS
11 TEAM FROM MONTGOMERY COUNTY ON THE ROOF OF THE PENTAGON WHEN
12 IT WAS BURNING. IT WAS A LIVING HELL. FIND OUT WHAT THE
13 PHYSICAL AND MENTAL STRESS IS ON A PERSON TO DO THAT, FOR 20
14 YEARS, NOT FOR 15 YEARS, NOT FOR 10 OR 5 YEARS BUT FOR ONE DAY,
15 IN ONE INCIDENT, AND THEN COME BACK AND TELL ME THAT WE SHOULD
16 REJECT THAT 20-YEAR PROVISION SIMPLY BECAUSE IT IS NOT
17 CONSISTENT WITH OTHER PROVISIONS. I'LL TAKE ANY OF THOSE
18 EDITORS ON, ON THAT ISSUE. I'VE BEEN THERE. NOT ONCE BUT
19 SEVERAL TIMES AND HAD THE ABSOLUTE PRIVILEGE AND HONOR OF
20 SERVING WITH MONTGOMERY COUNTY FIREFIGHTERS IN BURNING
21 BUILDINGS, ON COLLAPSE RESCUES AND STABBINGS AND GUNSHOT
22 WOUNDS AND WITH HEART ATTACK VICTIMS. LET'S GO DO IT, GUYS.
23 I'LL TAKE YOU THAT. TO TRY TO COMPARE THAT TO ANY OTHER
24 PROFESSIONS THAT DON'T HAVE THAT LEVEL OF STRESS AND MENTAL
25 AND PHYSICAL STRESS AND SIMPLY SAY OTHERS DON'T HAVE IT SO

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1 THESE FOLKS SHOULDN'T HAVE IT. THAT IS JUST ONE IRRATIONAL AND
2 UNFAIR COMPARISON. SO, I WILL GO WITH THIS. AND MAYBE IT IS
3 DIFFERENT BUT WE'RE UP HERE TO DEAL WITH THE DIFFERENT AND
4 WEIGH THOSE ISSUES AND CONSEQUENCES. SO, AGAIN, I THANK MR.
5 DENIS FOR A VERY THOROUGH REPORT AND I THANK THE COMMITTEE, MS.
6 PRAISNER'S COMMITTEE, FOR THE FAIR WAY THEY DEALT WITH
7 SOMETHING THAT WAS OUTSIDE THE BOX. WE NORMALLY DON'T DO THAT,
8 THEY DID IT.

9

10 **COUNCIL PRESIDENT PEREZ:** MR. LEVENTHAL?

11

12 **COUNCILMEMBER LEVENTHAL:** I COMPLETELY AGREE WITH AND ENDORSE
13 THE ELOQUENT REMARKS BY MR. DENIS AND MR. SUBIN. I APPRECIATE
14 THEM VERY MUCH AND IT'S GOOD TO HAVE THE OPPORTUNITY TO TALK
15 ABOUT OUR FIREFIGHTERS. THIS IS A GOOD OPPORTUNITY FOR US TO
16 REFLECT ON THE WORK THEY DO FOR US, THE DANGER THEY PUT
17 THEMSELVES IN. THE JOB OF A COUNCIL MEMBER IS NOT AS STRESSFUL
18 AS THE JOB OF A FIREFIGHTER BUT IT CAN BE STRESSFUL. ONE OF
19 THE WAYS I LIKE TO UNWIND IS TO RENT A MOVIE AND POP IT IN THE
20 DVD OR THE VCR AT THE END OF THE NIGHT. AND A FEW DAYS AGO I
21 RENTED AN EXCELLENT MOVIE CALLED "LADDER 49," WHICH I
22 RECOMMEND TO THOSE WHO HAVEN'T SEEN IT. I'M TOLD BY
23 FIREFIGHTERS IT IS MUCH MORE REALISTIC THAN HOLLYWOOD USUALLY
24 IS, AND IT IS REALLY LOW-KEY AND UNDERSTATED. IT'S NOT, YOU
25 KNOW, LIKE A LOT OF COP MOVIES YOU SEE. AND OF COURSE WE

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1 APPRECIATE THE WORKS THE COPS DO, TOO, BUT YOU KNOW, WHERE
2 PEOPLE DODGE BULLETS AND PERFORM IMPOSSIBLE FEATS AND ALL OF
3 THAT. THIS MOVIE, "LADDER 49" I'M TOLD BY FIREFIGHTERS IS A
4 VERY REALISTIC DESCRIPTION OF WHAT IT'S LIKE IN THE FIRE HOUSE,
5 THE CAMARADERIE THE GUYS HAVE WITH EACH OTHER AND THE ENORMOUS
6 STRESS AND DANGER AND FAMILY STRAIN THAT THEY FACE DOING THEIR
7 JOBS EVERY DAY. IT'S A GREAT MOVIE. I RECOMMEND IT. I DON'T
8 KNOW THAT WE NEED IT TO UNDERSTAND AND APPRECIATE THE WORK
9 THAT OUR FIREFIGHTERS DO FOR US BUT IT MAKES IT VIVID AND IT
10 CERTAINLY MADE IT VIVID FOR ME AND I WAS GLAD THAT I SAW IT
11 JUST A FEW DAYS BEFORE THIS DEBATE CAME UP. AND I SUPPORT
12 NEGOTIATED AGREEMENTS. I AGREE WITH MR. DENIS ON THAT. I JUST
13 WANT TO SAY A WORD, BECAUSE I GOT A QUESTION THIS MORNING FROM
14 MY FRIENDS AT THE CHAMBER OF COMMERCE -- AND THERE HAS BEEN A
15 LOT OF SPECULATION IN THE COMMUNITY ABOUT IF WE DO THIS FOR
16 THE FIREFIGHTERS, WHAT DOES IT MEAN FOR OTHER UNIONS? AND I
17 THINK THAT THE FIREFIGHTERS ARE A VERY SPECIAL CASE. AND SO MY
18 SUPPORT FOR 20-YEAR RETIREMENT FOR FIREFIGHTERS WOULD NOT
19 EXTEND TO OTHER UNIONS. NOW, HAVING SAID THAT, I HONOR
20 NEGOTIATED AGREEMENTS AND I AGREE WITH MR. DENIS ON THAT. BUT
21 WHEN I SAY THAT I HONOR NEGOTIATED AGREEMENTS THAT DOES NOT
22 MEAN TO ME THAT NEGOTIATORS ON BEHALF OF THE COUNTY SHOULD NOT
23 STRIKE A VERY TOUGH BARGAIN ON BEHALF OF THE TAXPAYERS. I
24 BELIEVE THEY SHOULD, JOE. I THINK THAT NEGOTIATORS ON BEHALF
25 OF THE COUNTY SHOULD STRIKE A TOUGH BARGAIN AND SHOULD KEEP

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1 THE TAXPAYER'S INTERESTS IN MIND. I KNOW THE M.F.P. COMMITTEE
2 GRAPPLES WITH THESE ISSUES VERY, VERY SERIOUSLY AND DOES AN
3 EXCELLENT JOB. AND I APPRECIATE MRS. PRAISNER'S THOUGHTFULNESS
4 AND I APPRECIATE MR. ANDREWS'S THOUGHTFULNESS. AND WHEN I TALK
5 ABOUT COUNCILMEMBERS WHO HAVE THE COURAGE OF THEIR CONVICTIONS,
6 PHIL IS ONE OF THOSE THAT I'M THINKING OF. I KNOW THAT PHIL IS
7 WILLING TO SAY NO, IS WILLING TO RISK POLITICAL PERIL TO STICK
8 UP FOR THE THINGS THAT HE BELIEVES IN AND HE'S GOT A LOT OF
9 INTEGRITY. AND I AGREE WITH HIM FREQUENTLY AND I DISAGREE WITH
10 HIM ON THIS VOTE. BUT THAT'S OKAY. I APPRECIATE THAT PHIL
11 MEANS WHAT HE SAYS AND HE BELIEVES IN WHAT HE SPEAKS UP FOR.
12 AND I THINK HE DOES RAISE IMPORTANT ISSUES ABOUT LONG-TERM
13 COSTS AND FISCAL IMPLICATIONS THAT WE NEED TO THINK ABOUT SO I
14 APPRECIATE YOUR ADVOCACY, PHIL, ON THIS AND MANY ISSUE, THOUGH
15 I'M NOT VOTING WITH YOU NOW. I DO WANT TO COMMENT, THOUGH,
16 BECAUSE I KNOW THAT WE'RE GOING TO HEAR A LOT ABOUT THE
17 WASHINGTON POST ARTICLE THAT YOU QUOTED FROM EXTENSIVELY. AND
18 I WANT TO THANK MY COLLEAGUES, MR. SUBIN AND MRS. PRAISNER
19 BECAUSE IN MY FIRST YEAR ON THIS COUNCIL I SAID A COUPLE OF
20 TIMES IN PUBLIC "I DON'T SENSE A TAXPAYERS' REVOLT." BOTH
21 THOSE FRIENDS, MR. SUBIN AND MRS. PRAISNER, TOOK ME ASIDE AND
22 SAID, IF THEY QUOTE YOU, YOU WILL SEE A TAXPAYER REVOLT. BE
23 CAREFUL WHAT YOU SAY, BE CAREFUL WHAT THE PRESS REPORTS ABOUT
24 WHAT YOU SAY. AND TIM, YOU KNOW, THE WASHINGTON POST AND, DOUG,
25 THE GAZETTE ARE EVERY BIT AS MUCH ACTORS IN THIS BUDGET DRAMA

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1 RIGHT NOW AS ANY OF US UP HERE OR AS ANY PEOPLE IN THE
2 COMMUNITY. THE READERS OF YOUR NEWSPAPERS, LEARN ABOUT WHAT WE
3 DO FROM WHAT YOU REPORT. AND SO A STORY LIKE THE ONE THAT PHIL
4 CITED DRIVES THE DEBATE HERE ON THIS SIDE OF THE TABLE. AND
5 THE THINGS THAT COUNCIL MEMBERS SAY THAT GET REPORTED IN THE
6 PRESS DRIVE WHAT THE PUBLIC BELIEVES ABOUT WHETHER OR NOT WE
7 HAVE GOOD GOVERNMENT AND GOOD MANAGEMENT IN MONTGOMERY COUNTY
8 AND I BELIEVE THAT WE DO. I BELIEVE THAT WE HAVE GOOD
9 GOVERNMENT AND GOOD MANAGEMENT. AND I BELIEVE THAT COUNCIL
10 MEMBERS NEED TO WATCH WHAT WE SAY, WE NEED TO WATCH WHAT WE
11 TELL OUR PUBLIC BECAUSE IF THE PUBLIC BELIEVES THAT WE CAN'T
12 CONTROL OURSELVES, THAT WE DON'T KNOW WHAT WE'RE DOING, THAT
13 WE CAN'T POSSIBLY EXPLAIN THE REASONS WHY WE DO WHAT WE DO,
14 THEN THE PUBLIC BELIEVES THAT WE'RE OUT OF CONTROL, AND I
15 DON'T BELIEVE THAT WE ARE. AND I APPRECIATE OUR FIREFIGHTERS.
16 AND I'M PROUD OF ALL OF OUR COUNTY EMPLOYEES AND I'M PROUD OF
17 OUR FIREFIGHTERS. AND WHEN YOU THINK ABOUT THE SACRIFICES THAT
18 THEY AND THEIR FAMILIES MAKE, IT MAKES YOU PRETTY PROUD TO BE
19 A PART OF MONTGOMERY COUNTY GOVERNMENT.

20
21 **COUNCIL PRESIDENT PEREZ:** MS. FLOREEN?

22
23 **COUNCILMEMBER FLOREEN:** THANK YOU. WE'RE GOING TO BE TALKING A
24 LOT ABOUT FISCAL RESPONSIBILITY OVER THE NEXT MONTH. I DON'T
25 THINK IT'S A BLACK AND WHITE ISSUE. I DON'T THINK IT IS AN

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1 ISSUE OF WALKING A STRAIGHT LINE. IF SO, FRANKLY WE COULD TAKE
2 THE NEXT MONTH OFF BECAUSE THE FINAL BUDGET VOTE IS MAY 26TH,
3 THIS IS APRIL 26TH. AND IF THAT'S ALL THAT MATTERED, WE COULD
4 REALLY HAVE A NICE SPRINGTIME TO OURSELVES. I REALLY THINK THE
5 REAL ISSUE IS, FOR THIS CONTRACT, IS IT BEYOND THE PALE? IS
6 THIS OUT OF LINE WITH OTHER AGREEMENTS IN THEIR AREA? AS MS.
7 PRAISNER'S INDICATED, IT IS NOT. IT IS NOT INCONSISTENT WITH
8 PRACTICE WITHIN THE REGION. I THINK THIS IS A REAL ISSUE OF
9 PRIORITIES HERE. I DIDN'T SEE THAT MOVIE. I DID THE TRAINING.
10 I HAVEN'T BEEN OUT WITH MR. SUBIN. I'M NOT SURE I'M UP TO IT.
11 BUT I'M NOT SURE HOW MANY OF US ARE WILLING TO SIGN UP TO
12 CRAWL ON OUR KNEES THROUGH INCHES OF WATER WHEN YOU CAN'T SEE
13 IN A BURNING BUILDING. I INVITE EVERYONE IN THE ROOM TO TRY
14 THAT. IT IS A CHALLENGE. I'VE RIDDEN WITH E.M.S. PEOPLE. IT
15 TAKES GUTS. IT TAKES SPIRIT. IT TAKES TALENT. IT TAKES
16 COMMITMENT. THESE ARE HARD JOBS. THIS JOB IS EASY COMPARED TO
17 THAT. I REALLY THINK OUR OBLIGATION IS TO TAKE CARE OF THE
18 PEOPLE WHO SERVE US IN OUR TIME OF GREATEST NEED AND THAT'S
19 THIS DEPARTMENT. I DON'T THINK THAT IT'S -- I THINK I AGREE
20 THAT THIS SHOULDN'T BE A PRECEDENT FOR OTHER AGREEMENTS. I
21 THINK THIS IS A PRETTY UNIQUE CIRCUMSTANCE. AND DO I AGREE
22 THAT, YOU KNOW, WHEN WE COMMIT TO THIS WE DO COMMIT TO THIS.
23 MAYBE IN THE LONG-TERM THIS WILL MEAN THAT WE CAN'T DO OTHER
24 THINGS THAT WE WOULD LIKE TO DO BECAUSE OF ITS COST. BUT I
25 THINK IT'S A QUESTION OF COMMITMENT TO PRIORITIES. AND AS FAR

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1 AS I'M CONCERNED, THIS IS ONE AND I WOULD INVITE THE
2 DEPARTMENT TO TAKE THE WASHINGTON POST EDITORS TO THE NEXT
3 TRAINING PROGRAM YOU'VE GOT.

4
5 **COUNCIL PRESIDENT PEREZ:** MR. KNAPP?

6
7 **COUNCILMEMBER KNAPP:** THANK YOU, MR. PRESIDENT. I VERY MUCH
8 APPRECIATE THE EFFORTS THAT THE COMMITTEE HAS PUT INTO THIS. I
9 KNOW, GOING OUT AND TALKING TO LOTS OF FOLKS OUT THERE IN THE
10 WORLD, PEOPLE HAVE DIFFERENT PERCEPTIONS OF ELECTED OFFICIALS
11 AND POLITICIANS. AND I THINK THAT THIS DISCUSSION IS ONE THAT
12 SHOWS THAT PEOPLE CAN BE THOUGHTFUL AND LOOK AT DIFFICULT
13 ISSUES AND HAVE A GOOD DISCUSSION AND GOOD DISCOURSE AND NOT
14 NECESSARILY REACH THE SAME CONCLUSION BUT ENSURE ALL THE
15 ISSUES HAVE BEEN APPROPRIATELY VETTED. AND I APPRECIATE MR.
16 DENIS' LEADERSHIP, MR. ANDREWS' POSITION AND MRS. PRAISNER'S
17 LEADERSHIP IN CONTEXT FOR WHAT THEY HAVE PROVIDED ON THE
18 DISCUSSION OF THIS ISSUE. I THINK THEY VERY WELL HELPED FRAME
19 THE DEBATE FOR US AS A COUNCIL. MR. SUBIN'S REMARKS WERE SPOT-
20 ON AND THE EMOTION AND THE ELOQUENCE WITH WHICH HE PRESENTS
21 THEM I THINK ARE DIFFICULT TO COMBAT AND COMPETE AGAINST SO I
22 WON'T EVEN GO THERE. BUT I THINK THAT IT'S IMPORTANT TO RAISE
23 A COUPLE OF POINTS. FIRST IS, YOU KNOW, LOOKING AT ALL OF THE
24 ISSUES THAT HAVE BEEN RAISED. THE IMPORTANT ONE IS THAT AT THE
25 END OF THE DAY, IF THIS CONTRACT IS APPROVED, OUR FIREFIGHTERS

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1 WILL STILL ONLY BE RIGHT ABOUT THE MEDIAN AS FAR AS
2 COMPENSATION IN THE REGION. AND SO IT'S NOT AS THOUGH WE ARE
3 OVERCOMPENSATING. I THINK WE ARE PROVIDING A FAIR WAGE AND
4 COMPENSATION PACKAGE FOR OUR OWN EMPLOYEES AND I THINK WE NEED
5 TO DO THAT. ONE OF THE THINGS THAT THEY TEACH YOU IN THE
6 MILITARY -- AND IF YOU'RE SMART YOU'LL LEARN THIS IN BUSINESS
7 -- THAT THE THING YOU DO FIRST BEFORE YOU DO ANYTHING ELSE IS
8 TO TAKE CARE OF YOUR PEOPLE BECAUSE THAT'S GOING TO BE HOW
9 YOU'RE GOING TO BE BE SUCCESSFUL AT THE END OF THE DAY. I
10 THINK WHAT THIS CONTRACT DOES WILL ALLOW US TO TAKE CARE OF
11 OUR PEOPLE. WE CAN PROBABLY DO THINGS BETTER. WE CAN PROBABLY
12 DO SOME THINGS MORE EFFECTIVELY. BUT I THINK THIS SHOWS THAT
13 WE ARE COMMITTED TO PROVIDING FOR OUR FIREFIGHTERS. THE NOTION
14 OF 20 YEARS AND WHY 20 YEARS -- AND IT'S BEEN ALLUDED TO AND
15 ADDRESSED IN A COUPLE OF DIFFERENT AREAS, BUT WHEN YOU LOOK AT
16 WHAT WE ARE CALLING UPON OUR FIREFIGHTERS TO DO TODAY, I DON'T
17 THINK THERE'S EVER BEEN A MORE CHALLENGING OR COMPETITIVE
18 ENVIRONMENT FOR THEM TO DO IT IN. QUITE HONESTLY -- AND MR.
19 SUBIN AND MS. FLOREEN RAISES AS IT AS RELATES TO GOING INTO A
20 BURNING BUILDING. FROM SOME OF THE CONVERSATIONS I'VE HAD WITH
21 OUR FIREFIGHTERS THAT'S PROBABLY THE MOST STRAIGHTFORWARD
22 THING THAT THEY DO. THERE ARE A LOT OF VARIABLES ASSOCIATED
23 POTENTIALLY WITH IT BUT THAT'S THE ONE THING THAT THEY TRAIN
24 FOR. THE CHALLENGE THAT'S REALLY CONFRONTING MANY OF OUR
25 FIREFIGHTERS TODAY IS JUST THE KNOWLEDGE OF THE UNKNOWN; THAT

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1 RESPONDING TO ANY GIVEN CALL -- THAT WE LIVE IN A WORLD WHERE
2 YOU DON'T EVEN NECESSARILY KNOW WHAT IT IS YOU'RE WALKING INTO.
3 SOMETHING THAT COULD BE AS MUNDANE AS WHAT APPEARED TO BE A
4 SMALL FIRE SET BEHIND A SCHOOL COULD BE SOMETHING MUCH MORE
5 SIGNIFICANT BECAUSE OF THE VARIOUS ACTIVITIES WE HAVE TO TAKE
6 INTO ACCOUNT, LIVING IN THE NATIONAL CAPITAL REGION. AND HOW
7 DO YOU PLAN AND PREPARE FOR THAT? AND HOW DO YOU MAKE SURE
8 THAT YOU CAN RECOGNIZE AND RESPOND TO SOMETHING THAT APPEARS
9 TO BE VERY INNOCUOUS. LOOKING AT SOMETHING LIKE AN ANTHRAX
10 CASE WHERE HAS OBVIOUSLY BEEN -- WE'VE SEEN THE IMPACTS OF IT
11 ON VARIOUS INDIVIDUALS AND VARIOUS BUILDINGS BUT HOW DO YOU
12 RESPOND TO SOMETHING THAT'S SEEMINGLY INNOCUOUS AND BE ABLE TO
13 LOOK AT VERY SIMPLE, STRAIGHTFORWARD THINGS THAT FIVE, TEN
14 YEARS AGO WOULD NOT HAVE BEEN AN ISSUE FOR US TO REALLY
15 CONSIDER, IS SOMETHING THAT OUR FIREFIGHTERS HAVE TO TRAIN FOR,
16 UNDERSTAND, AND BE PREPARED FOR AND THE STRESS OF THAT
17 SITUATION, RESPONDING TO EVERY CALL. THE CALL VOLUME THAT EACH
18 OF OUR FIREFIGHTERS IS RESPONDING TO CONTINUES TO INCREASE. SO,
19 IN ADDITION TO DOING MUCH MORE AND RESPONDING TO MORE AND MORE
20 CALLS, YOU STILL HAVE THE ADDED STRESS AND TRAINING THAT IS
21 REQUIRED TO RESPOND TO SEEMINGLY MUNDANE ISSUES. SO, I THINK
22 THAT WHEN YOU LOOK AT SOMETHING LIKE THE 20 YEARS, I THINK WE
23 ARE DEMANDING AND EXPECTING MORE OF OUR FIRE FIGHTERS EACH AND
24 EVERY DAY, WHICH WE CAN ADDRESS TO SOME EXTENT. IN THIS
25 COMPENSATION PACKAGE, IN THIS CONTRACT WE HAVE PROVIDED FOR

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1 OUR CAREER FIREFIGHTERS. WE ATTEMPTED TO ADDRESS THIS FOR OUR
2 VOLUNTEERS AS WELL IN THE COURSE OF ADDRESSING 36-03,
3 RECOGNIZING THE DEMANDS THAT ALL OF OUR FIREFIGHTERS ARE BEING
4 PLACED UNDER. AND I JUST THINK IT'S IMPORTANT FOR US TO TAKE
5 THAT INTO ACCOUNT AS WE CONTINUE TO MOVE FORWARD, RECOGNIZING
6 THE DEMANDS WE'RE PLACING THESE PEOPLE ARE UNDER. AND SO I
7 APPRECIATE ALL THE EFFORTS OF THE COMMITTEE. I APPRECIATE ALL
8 OF THE COMMENTS OF MY COUNCIL MEMBERS BECAUSE I THINK THIS HAS
9 BEEN A VERY GOOD DISCOURSE AND I THINK THE APPROPRIATE ISSUES
10 HAVE BEEN RAISED. BUT I AM SUPPORTIVE OF THE AGREEMENT. I URGE
11 OUR OFFICE OF HUMAN RESOURCES TO CONTINUE TO NEGOTIATE EACH OF
12 THE CONTRACTS AS INDIVIDUAL CONTRACTS THAT STAND ALONE. AND WE
13 WILL CONTINUE TO EVALUATE THEM THAT WAY. BUT I APPRECIATE THE
14 EFFORTS OF THE NEGOTIATION TEAM AND I APPRECIATE THE EFFORTS
15 OF THE COUNCIL, BUT MOST IMPORTANTLY I APPRECIATE THE EFFORTS
16 OF OUR FIREFIGHTERS THAT PUT THEIR LIVES ON THE LINE EVERY DAY.

17
18 **COUNCIL PRESIDENT PEREZ:** MR. ANDREWS?

19
20 **COUNCILMEMBER ANDREWS:** THANK YOU, MR. PEREZ. THERE HAVE BEEN A
21 LOT OF COMMENTS ABOUT THE GIVE-AND-TAKES THAT GO ON IN
22 NEGOTIATIONS. AND NORMALLY THAT IS TRUE BUT I DON'T SEE WHAT
23 THE COUNTY GOT OUT OF THIS AGREEMENT, OTHER THAN A BIG BILL. I
24 THINK THE COUNTY GOT LESS SERVICE AND A MUCH HIGHER COST. AND
25 SO WHILE I CAN APPRECIATE THAT THE FIREFIGHTERS WANT THIS

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1 AGREEMENT AND ARE PLEASED WITH IT AND I CAN APPRECIATE THAT
2 THE COUNTY EXECUTIVE IS PLEASED WITH IT, I DON'T THINK IT'S IN
3 THE PUBLIC INTEREST. AND THAT'S, I THINK, WHAT OUR TEST NEEDS
4 TO BE. AND SO I DON'T SEE THAT THE COUNTY GOT WHAT IT NEEDED
5 TO OUT OF THIS CONTRACT AND THAT'S WHY I'M OPPOSING IT.

6
7 **COUNCIL PRESIDENT PEREZ:** OKAY. THANK YOU TO EVERYONE. THIS HAS
8 BEEN, I THINK, A GOOD DEBATE BUT ALSO A RESPECTFUL DEBATE. AND
9 I DO APPRECIATE THE CONCERNS THAT EVERYBODY HAS RAISED. I HAD
10 A COUPLE OF QUESTIONS. AND I DON'T KNOW IF IT'S FOR MR. FADEN
11 OR WHAT. BUT AS I TRIED TO GET A HANDLE ON THE FISCAL IMPACT,
12 I WAS LOOKING, FOR INSTANCE, AT CIRCLE 1 AND I FOUND IT A
13 LITTLE -- I'M LOOKING AT ARTICLE -- FOR INSTANCE ON THE WAGES,
14 THE IMPACT IN '06 IS \$3.8 MILLION. '07 IS \$9.6 MILLION. AND I
15 GUESS THE QUESTION I HAVE IS, IS '07 THE CUMULATIVE IMPACT OR
16 IS THAT JUST '07 NUMBER OF \$9.6 MILLION?

17
18 **MIKE FADEN:** I THINK THAT'S THE ADDED COST IN THAT FISCAL YEAR.

19
20 **COUNCIL PRESIDENT PEREZ:** SO THAT'S JUST AN '07 NUMBER?

21
22 **MIKE FADEN:** I BELIEVE SO.

23
24 **STEVE FARBER:** I BELIEVE IT'S COMPARED TO THE PRESENT, IS THAT
25 RIGHT MR. ESPINOSA?

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1

2 **ALEXANDRE ESPINOSA:** YES, IT IS.

3

4 **COUNCIL PRESIDENT PEREZ:** I'M SORRY. I DON'T UNDERSTAND THAT.

5

6 **STEVE FARBER:** IT'S CUMULATIVE.

7

8 **COUNCIL PRESIDENT PEREZ:** IT'S CUMULATIVE?

9

10 **STEVE FARBER:** YEAH.

11

12 **COUNCIL PRESIDENT PEREZ:** OKAY. THAT'S DIFFERENT. BECAUSE I
13 MEAN I THINK IT'S IMPORTANT. BECAUSE THIS IS THE FIRST TIME
14 I'VE SEEN A SPREADSHEET LIKE THIS. AND MY CONCERN -- MY
15 CONCERN IS THAT I THINK WE WANT TO -- I'M LOOKING AT -- I'M
16 LOOKING AT THIS AND ONE MIGHT BE TEMPTED TO CONCLUDE THAT THE
17 CUMULATIVE FISCAL IMPACT IS 16 PLUS 9 PLUS 3 OR \$28 MILLION --

18

19 **ALEXANDRE ESPINOSA:** COMPARED TO THE FY, THE CURRENT APPROVED
20 BUDGET OF FY05 IT IS.

21

22 **COUNCIL PRESIDENT PEREZ:** SO IT'S \$28 MILLION IN ADDITION?

23

24 **STEVE FARBER:** CORRECT.

25

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1 **COUNCIL PRESIDENT PEREZ:** 16 MILLION ALONE IN '08? OR IS THE
2 \$16 MILLION THE 3 PLUS THE 9 -- I'M CONFUSED.

3

4 **ALEXANDRE ESPINOSA:** OKAY. I'LL TRY TO EXPLAIN. THE IMPACT OF
5 THE '06 THAT YOU SEE THERE, \$3.8 MILLION, IS THE IMPACT OF THE
6 WAGE INCREASES FOR THAT YEAR ONLY. THE 3% SCHEDULE FOR JULY,
7 THE 1% SCHEDULE FOR NEXT JANUARY. AS YOU GO FORWARD INTO FY07,
8 OKAY, IT'S THE IMPACT OF -- IT'S THE COMPOUNDED IMPACT, IN
9 EFFECT, OF WHAT HAPPENS TO WAGE SCALES BY INCREASING THEM BY
10 4% IN '06 IN TOTAL AS WELL AS THE SCHEDULED INCREASES FOR FY07.

11

12 **COUNCIL PRESIDENT PEREZ:** OKAY.

13

14 **ALEXANDRE ESPINOSA:** FY06 IS --

15

16 **COUNCIL PRESIDENT PEREZ:** SO WHAT IS THE ACTUAL EXPENDITURE IN
17 FY07?

18

19 **STEVE FARBER:** \$9 MILLION MORE.

20

21 **ALEXANDRE ESPINOSA:** THE ACTUAL EXPENDITURE IN FY07 WOULD BE
22 THE \$9.7; HOWEVER WHEN COMPARED TO FY05 YOU WOULD HAVE TO ADD
23 IN THE IMPACT, THE EXPENDITURE IN FY07 PLUS THE EXPENDITURE IN
24 FY06 BECAUSE THEY BUILD ON TOP OF ONE ANOTHER BECAUSE THEY'RE
25 INCREASES -- THEY'RE ALL INCREASES TO THE BASE WAGE RATE.

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1

2 **COUNCIL PRESIDENT PEREZ:** SO--

3

4 **ALEXANDRE ESPINOSA:** OKAY, SO THE EXPENDITURE IN '07 WOULD BE
5 9.7 BUT WHEN YOU COMPARE WHAT THE COUNTY HAS EXPENDED IN '05
6 COMPARED TO FY07, IT'S THE ADDITION OF WHAT COUNTY IS
7 PROJECTED TO EXPEND IN '06 PLUS FY07. AND THAT'S HOW TO
8 INTERPRET THESE NUMBERS, SO COMPARE -- IF YOU WERE JUST
9 LOOKING STRICTLY AT FY07 COMPARED TO THE FY05 BUDGET WE ARE
10 PROJECTING TO SPEND THE \$9.6, PLUS \$3.8.

11

12 **COUNCIL PRESIDENT PEREZ:** OKAY. MAYBE I -- I WENT TO LAW SCHOOL
13 BECAUSE I WASN'T A MATH MAJOR. AND I HAVE TO SAY THIS IS -- I
14 FIND THIS VERY CONFUSING. AND I'VE GOTTEN DIFFERENT ANSWERS TO
15 THE QUESTION THAT I JUST ASKED. SO I'M -- I WON'T BELABOR THE
16 POINT, OTHER THAN TO SAY IT WOULD BE USEFUL TO HAVE A LITTLE
17 BIT MORE CLARITY AND TRANSPARENCY IN THE WAY THE NUMBERS ARE
18 LAID OUT.

19

20 **MIKE FADEN:** WITHOUT CARRYING THIS TOO MUCH FURTHER, LET ME
21 TAKE ONE STAB AT IT. I THINK WHAT MR. ESPINOSA IS SAYING, IN
22 FY07, FOR EXAMPLE, THE COST OF WAGES FOR THIS COHORT WILL BE
23 ABOUT \$9.6 MILLION MORE THAN IT IS IN THE CURRENT FISCAL YEAR.
24 IS THAT CORRECT?

25

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1 COUNCIL PRESIDENT PEREZ: WHAT ARE THE TOTAL WAGES?

2

3 STEVE FARBER: TOTAL WAGES RIGHT NOW OR TOTAL WAGES THEN?

4

5 COUNCIL PRESIDENT PEREZ: WELL, IT WOULD BE -- BOTH.

6

7 STEVE FARBER: --COMPENSATION PACKAGE. [INAUDIBLE]

8

9 ALEXANDRE ESPINOSA: WE CAN GET THAT NUMBER FOR YOU.

10

11 COUNCIL PRESIDENT PEREZ: OKAY. WELL --

12

13 STEVE FARBER: IT IS IN THIS BIG PACKET. I'VE JUST GOT TO FIND
14 IT.

15

16 COUNCIL PRESIDENT PEREZ: MY UNDERSTANDING -- LET ME ASK A
17 QUESTION WHILE WE'RE LOOKING FOR THAT, ON PENSION BENEFITS. MY
18 UNDERSTANDING IS THAT THE PENSION BENEFITS GO INTO EFFECT IN
19 THE THIRD YEAR OF THE CONTRACT?

20

21 MIKE FADEN: THAT IS RIGHT

22

23 COUNCIL PRESIDENT PEREZ: HOW IS IT A COST IN YEAR TWO, THEN?
24 CAN YOU EXPLAIN WHAT THAT COST IS? THERE'S A LISTING OF \$4.5
25 MILLION IN FY07. AND I DON'T QUITE UNDERSTAND HOW WE HAVE A

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1 COST FOR '07 IF THE PENSION BENEFIT DOESN'T GO INTO EFFECT
2 UNTIL '08.

3

4 **ALEXANDRE ESPINOSA:** I CAN GIVE YOU THE ACTUARY'S
5 INTERPRETATION OF THE AGREEMENT BECAUSE --

6

7 **COUNCIL PRESIDENT PEREZ:** YOU CAN GIVE ME -- [OVERLAPPING
8 VOICES]

9

10 **ALEXANDRE ESPINOSA:** I'LL GIVE IT TO YOU IN PLAIN ENGLISH,
11 SINCE I'M NOT AN ACTUARY. IT HAS TO DO WITH THE FACT THAT
12 THERE IS AN OBLIGATION THAT WE'RE HAVING TO RECOGNIZE. THERE'S
13 A PENSION CHANGE THAT HAS CERTAIN COSTS ASSOCIATED WITH IT AND
14 RECOGNITION OF THOSE COSTS ENTAILS A DISCLOSURE OF A COST
15 IMPACT. AND THAT'S WHAT THAT COST IS FOR FY07. OBVIOUSLY, NEXT
16 YEAR WHEN THE COUNCIL CONSIDERS --

17

18 **COUNCIL PRESIDENT PEREZ:** IS THAT A PLACEHOLDER NUMBER? I MEAN
19 HOW DID YOU COME UP WITH THAT COST? I'M SPECULATING ON WHERE
20 THAT WAS PULLED OUT OF.

21

22 **ALEXANDRE ESPINOSA:** IT'S FROM THE ACTUARIAL'S ASSESSMENT OF
23 THE CHANGE AND THE CHANGE AND THE ASSUMPTIONS THAT ARE MADE
24 BEHIND ALL --

25

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1 **COUNCIL PRESIDENT PEREZ:** WELL, I GUESS WE'VE GOT TO TALK ABOUT
2 ASSUMPTIONS THAT MADE THAT LEAD TO THAT NUMBER.

3
4 **COUNCILMEMBER PRAISNER:** TOM, WE HAVE CONVERSATIONS WITH THE
5 ACTUARIAL AT THE M.F.P. COMMITTEE PERIODICALLY. BUT THE
6 ASSUMPTIONS ARE MADE ON THE LIKELIHOOD OF FOLKS TO EMPLOY
7 DIFFERENT RETIREMENT OPTIONS; THE OTHER ASSUMPTION IS HOW YOU
8 ACCRUE THE OBLIGATIONS, WHAT INVESTMENT RETURN MAY BE, AND
9 WHAT THE COUNTY CONTRIBUTION WILL HAVE TO BE WITHIN THE POT OF
10 MONEY IN OTHER WORDS TO MAKE IT SUSTAINABLE AND HOW YOU CARRY
11 OBLIGATIONS THAT COME DUE AT CERTAIN YEARS. WHAT'S THE
12 LIKELIHOOD OF FOLKS EXERCISING THOSE OPTIONS, WHEN YOU ARE
13 TALKING ABOUT RETIREMENT. SAME KIND OF THINGS ARE DONE WITH
14 HEALTH INSURANCE ISSUES, IN ADDITION TO OBVIOUSLY THE COUNTY
15 CONTRIBUTION REQUIREMENTS.

16
17 **COUNCIL PRESIDENT PEREZ:** OKAY. WELL, I -- DID YOU FIND THOSE
18 NUMBERS?

19
20 **ALEXANDRE ESPINOSA:** YES, I DID, MR. PEREZ. THE SALARIES AND
21 WAGES FOR THE DEPARTMENT ARE \$85.9 MILLION IN '05 AND \$88.6
22 MILLION IN '06.

23
24 **COUNCIL PRESIDENT PEREZ:** OKAY.

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1 **COUNCILMEMBER PRAISNER:** CIRCLE 4 IN THE PACKET OF -- THE
2 PREVIOUS PACKET -- HAS SOME OF THE TAX-SUPPORTED FUNDS
3 INFORMATION ON WAGES, SOCIAL SECURITY, RETIREMENT, INSURANCE,
4 ET CETERA, AS WELL.

5

6 **COUNCIL PRESIDENT PEREZ:** OKAY. WELL, I WON'T --

7

8 **COUNCILMEMBER PRAISNER:** I THINK THE TOTAL COMPENSATION CAME TO,
9 WITH CALCULATING BENEFITS IS 94999 ON CIRCLE 5, FOR A
10 FIREFIGHTER.

11

12 **COUNCIL PRESIDENT PEREZ:** WELL, I THINK IF -- I MEAN, FOR ME
13 THE MOST DISPOSITIVE INFORMATION IN THIS PACKET AND I THINK MR.
14 KNAPP HAS REFERENCED IT, WERE CIRCLES 4 AND 6. I MEAN MR.
15 ANDREWS HAS ASKED -- ONE OF THE QUESTIONS HE ASKS IS THE RIGHT
16 QUESTION. IS THIS UNREASONABLE? AND I LOOK AT CIRCLES 4, 5,
17 AND 6 AND I SEE US, AGAIN, IN THE MIDDLE OF THE PACK. THERE
18 WAS A QUESTION PRESENTED IN THE PACKET ABOUT WHETHER WE'RE --
19 WHETHER THE RAISES THEY'VE BEEN GETTING HAVE BEEN UNREASONABLE.
20 WELL, THEY'RE STILL FAR BEHIND WHAT THE FIREFIGHTERS MAKE. AND
21 THEY APPEAR TO BE IN THE MIDDLE OF THE PACK WITH ADJOINING
22 JURISDICTIONS, SO WE TALK A LOT ABOUT THE COST OF LIVING IN
23 MONTGOMERY COUNTY. AND I THINK IF WE'RE GOING TO -- I THINK
24 ROUGHLY 1 IN 4 CAREER FIREFIGHTERS LIVE IN MONTGOMERY COUNTY.
25 AND IF WE'RE GOING TO CONTINUE TO ASPIRE TO RAISE THAT NUMBER,

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1 WE HAVE TO OFFER A WAGE THAT WILL BE A WAGE THAT ENABLES THEM
2 TO SUSTAIN A LIFESTYLE THAT ALLOWS THEM TO BUY A HOUSE IN
3 MONTGOMERY COUNTY. SO, THAT'S WHY WE DO A LOT ON THE ISSUE OF
4 WAGES TO MAKE SURE THAT MONTGOMERY COUNTY, AS A GOVERNMENT, IS
5 NOT CONTRIBUTING TO THE AFFORDABLE HOUSING CRISIS BY OFFERING
6 WAGES THAT ARE SO LOW THAT THEY PREVENT PEOPLE FROM BUYING A
7 HOUSE HERE. AND I THINK WE ARE A GOOD EMPLOYER IN THAT REGARD.
8 CLEARLY, IN CONTEXT OF THE FIREFIGHTERS WE ARE A GOOD EMPLOYER.
9 I DON'T KNOW THAT WE'RE A GREAT EMPLOYER. AND GOOD IS ABOUT AS
10 GOOD AS IT CAN GET RIGHT NOW. TO MS. BROCK, I WOULD SAY WE
11 HAVE A CIRCUIT BREAKER THAT I HOPE WE WILL EXPAND BECAUSE SHE
12 IS THE POSTER CHILD FOR THE CIRCUIT BREAKER, SO WE HAVE QUITE
13 A BIT OF RELIEF. TO THE GENTLEMAN FROM POTOMAC, MR. DAVIS, I
14 CERTAINLY APPRECIATE HIS CONCERNS AND I WOULD OBSERVE THAT
15 THERE ARE MANY, MANY PEOPLE WHO WOULD LIKE TO BE CONFRONTING
16 THE CHALLENGES OF OWNING A \$700,000 HOME. AND I HOPE THAT
17 WE LL BE ABLE TO PROVIDE SOME RELIEF TO MR. DAVIS. I WOULD
18 ALSO OBSERVE THAT I DO BELIEVE, AS I WATCH THE WORK ON BEHALF
19 OF MENTAL HEALTH -- ADDRESSING MENTAL HEALTH NEEDS, ADDRESSING
20 OUR SCHOOL NEEDS, ADDRESSING OUR FIRE AND RESCUE NEEDS,
21 ENSURING THAT OUR POLICE DEPARTMENT IS ABLE TO MEET THE
22 CHALLENGES OF THE NEW MONTGOMERY COUNTY, ENSURING THAT WE HAVE
23 SOCIAL WORKERS THAT CAN WORK WITH OUR MOST VULNERABLE PEOPLE,
24 ENSURING THAT WE ARE LEVELING THE PLAYING FIELD FOR BUSINESSES,
25 ENSURING THAT WE'RE ADDRESSING MAINTENANCE INFRASTRUCTURE GAPS.

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1 I THINK AS WE DO THAT I WOULD RESPECTFULLY LOVE TO SIT DOWN
2 WITH MR. DAVIS TO SHOW HIM HOW THE SERVICES ARE, INDEED,
3 INCREASING COMMENSURATE WITH THE INCREASE IN HIS TAXES. I
4 WOULD LIKE TO HAVE A SIT-DOWN WITH HIM TO EXPLAIN TO HIM HOW
5 HIS TAX BILL HAS BEEN REDUCED AT A FEDERAL LEVEL BY A LEVEL
6 GREATER THAN 2 TO 1 IN TERMS OF THE LOCAL INCREASES. AND I
7 WOULD LIKE TO EXPLAIN TO HIM ABOUT THE TRAIL OF BROKEN
8 PROMISES THAT LEADS DIRECTLY TO LOCAL GOVERNMENT. I WOULD LIKE
9 TO SIT HIM DOWN WITH SCOTT MINTON, SO SCOTT MINTON CAN EXPLAIN
10 TO HIM THAT THERE ARE A HUNDRED PEOPLE HE'S GOING TO HAVE TO
11 TELL THAT THEY'RE GOING TO BE HOMELESS BECAUSE WE CAN'T --
12 WE'RE NOT GETTING ENOUGH FEDERAL MONEY. SO, I'M LOOKING
13 FORWARD TO SITTING DOWN WITH MR. DAVIS AND OTHERS TO EXPLAIN
14 TO THEM THE SERVICES THAT WE'RE PROVIDING IN THE WONDERFUL
15 COUNTY IN WHICH WE LIVE. AND I AM GLAD TO VOTE TO SUPPORT THIS
16 CONTRACT BECAUSE I THINK IT KEEPS US IN THE MIDDLE OF THE PACK.
17 THIS IS NOT -- WE PERIODICALLY DO BREAK GROUND ON ISSUES,
18 WHETHER IT IS CABLE MODEM REGULATIONS, WHETHER IT IS DRUG
19 IMPORTATION, THINGS OF THAT NATURE. WE HAVE NOT BEEN RELUCTANT
20 TO BE TRAIL-BLAZERS. THIS CONTRACT IS NOT A TRAIL-BLAZING
21 CONTRACT. WE ARE FOLLOWING THE LEAD OF OTHER JURISDICTIONS IN
22 OTHER AREAS, INCLUDING PRINCE GEORGE'S, INCLUDING
23 JURISDICTIONS THAT ARE QUITE LITERALLY CONTIGUOUS WITH
24 MONTGOMERY COUNTY. SO, I DON'T SEE THIS AS A CONTRACT THAT IS
25 BREAKING NEW GROUND OR DIFFERENT GROUND OR IS REVOLUTIONARY. I

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1 CERTAINLY RESPECT THE CONCERNS THAT HAVE BEEN RAISED BY MY
2 GOOD FRIEND, MR. ANDREWS, I RESPECTFULLY DISAGREE. SO, AT THIS
3 POINT I DON'T THINK WE NEED A ROLL CALL VOTE. I THINK WE
4 SIMPLY NEED A -- ALL THOSE IN FAVOR SIGNIFY BY RAISING YOUR
5 HAND. MR. DENIS, MS. FLOREEN, MR. SUBIN, MR. SILVERMAN, MR.
6 KNAPP, MS. PRAISNER, MR. LEVENTHAL, MYSELF. OPPOSED, MR.
7 ANDREWS. IT PASSES 8 TO 1. WE ARE NOW GOING TO TURN TO MR.
8 FARBER FOR A BRIEF DISCUSSION. WE INDICATED THAT WE WERE GOING
9 TO ADD AN ITEM THIS MORNING. AND I'D WOULD ASK MR. BEACH -- I
10 SEE THAT SOME OF OUR FRIENDS ARE HERE FROM THE COUNTY
11 EXECUTIVE'S OFFICE. I'D LIKE TO INVITE YOU UP TO DISCUSS THIS
12 AND, BY THE WAY, FOR THE RECORD, PEOPLE SHOULD BE AWARE THAT I
13 DID SPEAK WITH TOM CARR. AND HE APPROPRIATELY ISN'T HERE TODAY
14 BECAUSE HE IS ATTENDING A FUNERAL OF A FIRE AND RESCUE SERVICE
15 EMPLOYEE, WHO TRAGICALLY DIED LAST WEEK. AND SO THAT IS WHY HE
16 IS UNABLE TO BE HERE THIS MORNING. EVERY YEAR, MR. FARBER WE
17 RECEIVE BUDGET ADJUSTMENTS FROM THE COUNTY EXECUTIVE. WE
18 RECEIVED THEM YESTERDAY, I'M SORRY, LAST WEEK, A MEMO DATED
19 APRIL THE 25TH, 2005. AND I READ IT WITH GREAT INTEREST, AS WE
20 ALL DID. [SPEAKER NOT UNDERSTOOD]

21
22 **COUNCIL PRESIDENT PEREZ:** YES, YES. AND IT WAS NOTABLE BY WHAT
23 IT CONTAINED AND WHAT IT DIDN'T CONTAIN, I GUESS, IS HOW I
24 WOULD OBSERVE. AND I WANTED TO MAKE A COUPLE PRELIMINARY
25 OBSERVATIONS BEFORE TURNING IT OVER TO YOU FOR JUST AN

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1 EXPLANATION OF THE AMENDMENTS TO THE RECOMMENDED BUDGET.
2 NUMBER ONE, I THINK IT'S IMPORTANT -- AND PLEASE CORRECT ME IF
3 I'M WRONG IN TERMS OF MISSTATING THE PREVIOUS HISTORY OF
4 COUNCIL PRACTICE. NOTHING HERE THAT IS CONTAINED IN THE
5 EXPENDITURE AMENDMENTS GETS IN THE BUDGET UNLESS THE COUNCIL
6 APPROVES IT, SO THAT IT -- IN PAST YEARS IT'S BEEN ADDED TO
7 THE RECONCILIATION LIST. AND EACH COMMITTEE WILL TAKE IT UP.
8 AND SO I WANT TO MAKE SURE IT'S CLEAR TO BOTH MY COLLEAGUES
9 AND TO MEMBERS OF THE PUBLIC. HAS THAT BEEN -- AM I CORRECTLY
10 STATING THE PAST PRACTICE IN THIS CONTEXT, MR. FARBER?

11
12 **STEVE FARBER:** YES, THAT'S CORRECT. ALL THE COUNTY EXECUTIVE
13 AMENDMENTS AT THIS TIME OF YEAR ARE TAKEN UP BY THE COMMITTEES
14 ONE BY ONE. THEY ARE PLACED ON THE RECONCILIATION LIST, WHERE
15 THEY MUST COMPETE WITH EVERYTHING ELSE. THERE IS NO
16 PRESUMPTION THEY WILL BE FUNDED. IF COMMITTEES AND COUNCIL
17 FEEL THEY SHOULD BE THEY WILL BE BUT OTHERWISE THEY WILL NOT
18 BE.

19
20 **COUNCIL PRESIDENT PEREZ:** I WILL NOTE, I'M SURE MY COLLEAGUES
21 HAVE ALREADY NOTED, THERE IS NOW AN ADDITIONAL \$850,000 WORTH
22 OF GRANT REQUESTS AND THERE IN THE MIDDLE OF THE FY06
23 EXPENDITURE AMENDMENT, THAT IS \$250,000 FOR BOYS AND GIRL'S
24 CLUB OF GERMANTOWN, C.S.A.C. HEADQUARTERS, \$200,000. AUNT
25 HATTIE'S PLACE, \$400,000. I WOULD NOTE THAT THEY TALK ABOUT

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1 AUNT HATTIE, FOR INSTANCE, TALKS ABOUT THE FUNDING WILL
2 PROVIDE -- THE ADDITIONAL \$400,000 WILL PROVIDE THE FUNDING
3 NEEDED FOR THE REQUIRED MATCH. IN MY REVIEW OF THE STATE BOND
4 BILLS THERE, I DIDN'T SEE WHERE THE REQUIREMENT WAS THAT THE
5 COUNTY PROVIDE A MATCH. MY RECOLLECTION WAS THAT THERE WAS A
6 REQUIREMENT OF A MATCH. AND I SIMPLY WANT TO MAKE THE
7 OBSERVATION HERE BECAUSE I THINK IT'S IMPORTANT TO MAKE SURE
8 EVERYBODY IS ON NOTICE. THERE MAY BE A MISINTERPRETATION OR
9 MISPERCEPTION THAT BECAUSE YOU ARE NOW IN THE COUNTY
10 EXECUTIVE'S AMENDED BUDGET THAT YOU NEED NOT WORRY. AND I
11 THINK THAT WOULD BE AN INCORRECT ASSUMPTION TO MAKE IF YOU ARE
12 ANYONE WHO IS INCLUDED IN THIS. WE HAVE A BUDGET THAT HAS \$3
13 MILLION IN PRIVATE AGENCY REQUESTS, WHICH IS -- AND THIS IS
14 NOT INCLUDING THE ADDITIONAL \$800,000 OR WHATEVER THE MATH
15 WORKS OUT TO -- I'M SORRY, \$850,000. DIDN'T WANT TO -- YEAH,
16 DIDN'T MEAN TO UNDERSELL THE BOY'S AND GIRL'S CLUB. BUT WE ARE
17 NOW LOOKING AT \$3.85 MILLION, WHICH IS MORE THAN DOUBLE WHAT
18 THE AMOUNT HAD BEEN IN PREVIOUS YEARS AND DOESN'T TAKE INTO
19 ACCOUNT ANY OF THE REQUESTS THAT THE COUNCIL HAS RECEIVED,
20 WHICH AMOUNT TO -- WE'LL JUST SAY MILLIONS OF DOLLARS
21 ADDITIONAL. AND SO THE WHOLE ISSUE OF GRANTS WE WILL BE
22 OBVIOUSLY TAKING UP IN THE COURSE OF THIS BUDGET BUT I THINK
23 IT'S IMPORTANT TO POINT OUT NOW -- AND THIS IS, I GUESS, AN
24 OBSERVATION TO BOTH ENTITIES THAT ARE IN THE COUNTY
25 EXECUTIVE'S RECOMMENDED BUDGET AND ENTITIES THAT ARE IN THE

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1 COUNTY EXECUTIVE'S AMENDED RECOMMENDED BUDGET AND TO ENTITIES
2 THAT ARE -- THAT HAVE SUBMITTED REQUESTS TO THE COUNCIL THAT
3 ARE BEING REVIEWED THAT ALL OF THOSE ARE IN PLAY. AND I DON'T
4 WANT ANYONE TO MISASSUME ANYTHING FROM WHAT IS CURRENTLY
5 HAPPENING. IT IS ABUNDANTLY CLEAR TO ME THAT THOSE FIGURES
6 WILL NOT BE -- THE DEMAND FAR EXCEEDS WHAT WE WILL BE ABLE TO
7 FUND. AND SO, AGAIN, I WANT TO MAKE SURE THAT EVERYBODY IS ON
8 NOTICE. EVERYBODY BEING DEFINED AS THOSE FOLKS WHO RECEIVED
9 GRANTS THAT WERE IN THE COUNTY EXECUTIVE'S RECOMMENDED BUDGET,
10 THOSE WHO RECEIVED GRANTS IN THE COUNTY EXECUTIVE'S AMENDMENTS
11 TO THE RECOMMENDED BUDGET AND THOSE WHO RECEIVE -- THOSE WHO
12 APPLIED FOR GRANTS THROUGH THE COUNCIL GRANT PROCESS,
13 EVERYTHING IS ON THE TABLE. AND PLEASE DO NOT MISASSUME THINGS
14 BY VIRTUE OF WHERE YOU ARE IN THE BUDGET OR WHERE YOU ARE NOT
15 IN THE BUDGET AT THIS POINT. SO, I JUST WANTED TO MAKE THAT
16 OBSERVATION CLEARLY SO THAT PEOPLE DO UNDERSTAND WHAT IS
17 CURRENTLY HAPPENING. MR. FARBER, BLESS YOU, MR. LEVENTHAL.

18
19 **COUNCILMEMBER LEVENTHAL:** THANK YOU. YOU'RE WELCOME.

20
21 **COUNCILMEMBER FLOREEN:** WHAT ABOUT THE REST OF US? BLESS
22 EVERYBODY, THIS MORNING! GOD BLESS MONTGOMERY COUNTY. LET'S
23 TAKE A BREAK FOR A FEW MINUTES AND I'LL BLESS OURSELVES --

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1 **COUNCILMEMBER LEVENTHAL:** RABBI HARRIS ALREADY DID SO IT'S
2 REDUNDANT.

3

4 **COUNCIL PRESIDENT PEREZ:** BUT IT'S BEEN A ROUGH MORNING. WE
5 NEED MORE. I GUESS MY INITIAL QUESTION FOR YOU, MR. FARBER IS,
6 AGAIN, I WAS STRUCK BY WHAT WAS IN THE BUDGET, AGAIN, MORE
7 GRANTS. AND I WAS STRUCK BY WHAT WAS NOT IN THE BUDGET, WHICH
8 WAS REFERENCE TO THE GEOGRAPHIC COST OF EDUCATION. AND I'M
9 WONDER IF YOU COULD -- I'M LOOKING AT YOU FOR NOW AND I'M
10 GOING TO LOOK AT MR. BEACH MOMENTARILY, BECAUSE MY
11 UNDERSTANDING, AND I CONCEDE THIS IS ONLY YEAR THREE ON THE
12 COUNCIL SO I MAY HAVE A MISUNDERSTANDING --

13

14 **COUNCILMEMBER SILVERMAN:** YOU'RE JUST A COUNTRY LAWYER.

15

16 **COUNCIL PRESIDENT PEREZ:** I'M JUST A COUNTRY LAWYER. THANK YOU,
17 MR. SILVERMAN. BUT MY UNDERSTANDING WAS THAT THE AMENDED
18 BUDGET WOULD REFLECT ALL OF THE ADJUSTMENTS THAT OCCURRED AS A
19 RESULT OF THE ACTIONS IN ANNAPOLIS AND ELSEWHERE, AND SO THAT
20 IN PAST YEARS WHEN WE DIDN'T GET THE CONTROLLING INTEREST, FOR
21 INSTANCE, IT WAS REFLECTED IN THE AMENDMENTS TO THE BUDGET. I
22 DIDN'T SEE IT HERE. AND I'M WONDERING IF I MISSED SOMETHING,
23 MR. FARBER.

24

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1 **STEVE FARBER:** NO, I DON'T THINK YOU DID. IT IS THE CASE THAT
2 EACH YEAR AT THIS TIME WE RECEIVE FROM THE EXECUTIVE HIS
3 BUDGET ADJUSTMENTS. AND THESE ARE HELPFUL BECAUSE SINCE THE
4 MARCH 15TH BUDGET WAS PUT TO BED THERE OBVIOUSLY HAVE BEEN
5 SOME CHANGES AS A RESULT OF ACTIONS IN ANNAPOLIS AND OTHER
6 FACTORS. THIS MEMORANDUM DOES A GOOD JOB OF PINPOINTING A
7 NUMBER OF ISSUES. MANY OF THEM ACTUALLY ARE QUITE SMALL. IF
8 YOU LOOK ON THE THIRD PAGE, FOR EXAMPLE, THERE IS A F.E.M.A.
9 REIMBURSEMENT OF \$34,000, A STRATHMORE PAYMENT OF \$50,000, A
10 COMMERCIAL DRIVER'S LICENSE AMENDMENT OF \$25,000. BUT THERE IS
11 ONE VERY BIG ISSUE NOT DISCUSSED HERE. AND AS YOU SUGGESTED,
12 IT IS THE FACT THAT THE STATE DID NOT PROVIDE, AS IT SHOULD
13 HAVE, \$12.1 MILLION FOR THE IN-STATE EDUCATION AID FOR THE
14 GEOGRAPHIC COST OF EDUCATION INDEX. WE HAVE KNOWN FOR SEVERAL
15 WEEKS NOW THAT THAT FAILURE BY THE STATE HAD OCCURRED. IT IS
16 NOT ADDRESSED HERE. AND AS YOU SUGGEST, IN PAST YEARS THE
17 EXECUTIVE'S BUDGET ADJUSTMENTS MEMO HAS BEEN VERY CLEAR ABOUT
18 WHAT DID AND DID NOT HAPPEN IN ANNAPOLIS. I HAVE WITH ME HERE
19 THE BUDGET ADJUSTMENTS MEMO FROM TWO YEARS AGO. THAT WAS A BAD
20 YEAR, AS YOU RECALL, IN TERMS OF STATE CUTS. THERE ARE ANY
21 NUMBER OF THEM LISTED HERE IN THE BUDGET ADJUSTMENTS MEMO. THE
22 CONTROLLING INTEREST LEGISLATION, \$10 MILLION LOST. THE
23 COMMUNITY COLLEGE STATE AID, TEACHER SALARY CHALLENGE GRANT,
24 POLICE AID, HIGHWAY USER REVENUE -- TOTAL WAS \$30.1 MILLION.
25 AND I THINK THE MEMO TWO YEARS AGO DID A VERY GOOD JOB OF

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1 IDENTIFYING THE CHALLENGE AND THEN PROPOSING SOLUTIONS. I
2 THINK THIS MEMO DOES TALK ABOUT, IN THE FIRST PARAGRAPH, THE
3 NEED FOR -- O.M.B. CONTINUES TO CLARIFY RECENT ACTION TAKEN BY
4 STATE GENERAL ASSEMBLY, SPECIFICALLY AS IT RELATES TO HIGHWAY
5 USER REVENUES. AND PRESUMABLY WE'LL BE HEARING A LITTLE BIT
6 MORE SOON ABOUT HIGHWAY USER REVENUES. BUT IT DOES NOT MENTION
7 THE MUCH LARGER ISSUE OF THE GEOGRAPHIC COST OF EDUCATION
8 INDEX, WHICH IS \$12.1 MILLION DOLLARS. THE EXECUTIVE SAYS THE
9 TAX-SUPPORTED AMENDMENTS ARE BALANCED IN THAT THE NEWLY
10 IDENTIFIED RESOURCES SUPPORT THE EXPENDITURES BUT WE STILL, I
11 THINK, WOULD BENEFIT FROM HIS VIEWS AS TO WHAT THE IMPACT ON
12 THE SCHOOL'S BUDGET, FOR EXAMPLE, WOULD BE, ON THE TOTAL
13 REVENUES, WOULD BE OF THE STATE'S FAILURE TO PROVIDE THE
14 G.C.E.I. FUNDS.

15
16 **COUNCIL PRESIDENT PEREZ:** I WILL TURN TO MS. PRAISNER AND THEN
17 MS. FLOREEN.

18
19 **COUNCILMEMBER PRAISNER:** RIGHT. I'M SURE MS. FLOREEN,
20 ESPECIALLY, BUT ALL OF US ARE ANXIOUS TO KNOW WHAT THE
21 PROBLEMS ARE WITH THE HIGHWAY USER REVENUE, THAT WE ARE NOT
22 CLEAR AS TO WHAT THE ACTIONS MEAN. I KNOW THAT THE SENATE AND
23 HOUSE, IN REVISING HOW THEY PROPOSED THE PUTS AND TAKES
24 ASSOCIATED WITH REDUCING WHAT INITIALLY LEGISLATIVE SERVICES'
25 STAFF HAD PROPOSED AS A WAY TO BALANCE THE STATE'S BUDGET IN

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1 THE HIGHWAY USER REVENUE AREA IS A LITTLE COMPLICATED BUT I'M
2 JUST WONDERING SINCE WE HEARD THE SAME THING FROM MEL A COUPLE
3 OF DAYS AFTER THE SESSION -- THIS IS SEVERAL WEEKS AFTER THE
4 SESSION NOW -- WHEN WE'RE LIKELY TO GET THAT CLARIFICATION. IT
5 WOULD BE IMPORTANT, I THINK, FOR US TO HAVE A SHEET OF PAPER
6 IN ADDITION TO THE BUDGET ADJUSTMENTS DOCUMENT THAT LAYS OUT
7 THE BOTTOM LINE, END RESULT IN -- AS-REVISED -- OF WHAT
8 HAPPENED IN ANNAPOLIS. SO IF YOU COULD GENERATE, YOU KNOW, THE
9 FINAL VERSION OR THIS CURRENT VERSION, THAT WOULD BE HELPFUL.
10 WHILE I APPRECIATE THE EXECUTIVE'S COMMENTS ABOUT THE FACT
11 THAT THE TAX-SUPPORTED AMENDMENTS ARE BALANCED, THE REALITY IS
12 THAT THE BUDGET IS NOT BALANCED UNLESS WE GET CLARIFICATION
13 FROM THE EXECUTIVE ON THE ISSUE OF THE FACT THAT HE
14 INCORPORATED THE \$12.1 MILLION G.C.E.I. MONEY IN HIS BUDGET.
15 WE ON THE M.F.P. COMMITTEE RECOMMENDED THAT THE COUNCIL NOT
16 INCLUDE THAT BECAUSE WE KNEW IT WASN'T COMING. BUT WE HAVE YET
17 TO HEAR FROM THE EXECUTIVE AND, IN ESSENCE, THE BUDGET IS NOT
18 BALANCED FROM THE EXECUTIVE UNTIL -- THE TOTAL BUDGET IS NOT
19 BALANCED UNLESS WE HEAR FROM THE EXECUTIVE AS TO HOW HE IS
20 DEALING WITH THAT ISSUE. HE TALKS ABOUT TAX SUPPORT IN THIS
21 PARAGRAPH BUT HE DOESN'T TALK ABOUT AGGREGATE. AND SO WE NEED
22 TO KNOW WHAT THOSE RECOMMENDATIONS ARE. I ALSO ASSUME -- AGAIN,
23 WE DON'T HAVE IN THIS MEMO ANY REFERENCE TO THE SNOW-REMOVAL
24 PIECE. I KNOW YOU ARE STILL TRYING TO ANALYZE THE BILLS AS
25 THEY COME IN. BUT I DO THINK AT THIS POINT IN THE PROCESS, WE

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1 ARE NOT CLEVELAND. WE'RE NOT GOING TO HAVE ANOTHER BUDGET
2 SNOWSTORM SUCH -- [LAUGHTER]

3
4 **COUNCILMEMBER PRAISNER:** MY GOOD FRIEND, THE MAYOR OF CLEVELAND,
5 AND SHE SERVED AS A COUNTY COMMISSIONER FOR CUYAHOGA COUNTY
6 AND A STATE LEGISLATOR BEFORE SHE BECAME MAYOR. I KNOW SHE HAS
7 HER CHALLENGES RIGHT NOW, OR AT LEAST RECENTLY DEALING WITH
8 SNOW AT THIS POINT IN TIME. BUT I THINK IT'S FAIR TO ASSUME --
9 AND SINCE WE'VE HAD EVERYONE PRAY OVER US TODAY, I THINK
10 MONTGOMERY COUNTY IS IN PRETTY GOOD SHAPE IN ASSUMING WE'RE
11 NOT HAVE THE KIND OF SNOWSTORM THAT IS GOING TO REQUIRE SNOW
12 REMOVAL AND ADDITIONAL COST TO SNOW REMOVAL. I'M HAVING A
13 PROBLEM UNDERSTANDING WHY THE BILLS AREN'T IN YET AND WHY WE
14 HAVEN'T -- MAYBE WE NEED TO TELL OUR CONTRACTORS THAT THEY
15 HAVE X AMOUNT OF DAYS OR THEIR BILLS WON'T BE HONORED. IT'S A
16 LITTLE FRUSTRATING TO NOT KNOW THAT ISSUE AT THIS POINT IN THE
17 BUDGET PROCESS. I'M SURE THE T. & E. COMMITTEE ESPECIALLY IS
18 CONCERNED ABOUT THAT ISSUE. MY OTHER ASSUMPTION IS THAT TO THE
19 EXTENT THE COMMITTEES HAVE REVIEWED ITEMS ALREADY AND HAVE NOT
20 HAD THE BENEFIT OF THESE PUTS AND TAKES THAT WILL HAVE TO --
21 LINDA LAUER WILL WORK HER MAGIC AND SCHEDULE THEM FOR THE
22 COMMITTEES' CONSIDERATIONS WHERE THEY HAVEN'T BEEN DISCUSSED.
23 BUT MY BOTTOM-LINE PROBLEM IS THE BUDGET IS NOT BALANCED NOW.
24 AND WE HAVE TO HEAR FROM THE EXECUTIVE AS TO HOW HE'S GOING TO
25 BALANCE HIS BUDGET. WE HAVE AT LEAST \$12.1 MILLION THAT WE

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1 HAVEN'T HEARD FROM HIM ABOUT AND THAT RELATES TO G.C.I. HE
2 ASSUMED IT IN HIS BUDGET. JUST LIKE WE SAID IN PREVIOUS YEARS,
3 HE ASSUMED SOME REVENUE FROM TRANSFER CONTROLLING INTEREST
4 ISSUES THAT WERE NOT LEGISLATIVELY PASSED. HE RESPONDED TO
5 THOSE. WE NEED TO KNOW WHAT HIS PLANS ARE OR HOW HIS BUDGET IS
6 ADJUSTED -- THE DOCUMENT IS ADJUSTED TO REFLECT THE CHANGES IN
7 EDUCATION FUNDING.

8
9 **COUNCIL PRESIDENT PEREZ:** DO YOU WANT TO TAKE A STAB AT THAT? I
10 MEAN, HOW IS THE -- I'M NOT A MATH WIZ, AGAIN, BUT IT LOOKS TO
11 ME LIKE THE BUDGET IS \$12 MILLION OUT OF BALANCE, ROUGHLY, AT
12 A MINIMUM. [SPEAKER NOT UNDERSTOOD]

13
14 **COUNCIL PRESIDENT PEREZ:** YES, FAIR ENOUGH.

15
16 **JOE BEACH:** FOR THE RECORD, JOE BEACH, OFFICES OF THE COUNTY
17 EXECUTIVE. TWO REASONS WHY IT WASN'T INCLUDED HERE, ONE OF
18 WHICH, THOUGH THE COUNCIL WAS AWARE OF THIS REDUCTION IN THE
19 PAST SOMETIMES, IT'S TAKEN SOME MORE -- ADDITIONAL STAFF WORK
20 TO REFINE THE NUMBERS AND BRING THEM TO THE COUNCIL. BUT IN
21 THIS CASE THE \$12.1 MILLION STATE CUT OF THE G.C.E.I. FUNDING
22 WAS WELL KNOWN WITH THE COUNCIL, WAS IN THE SPENDING
23 AFFORDABILITY DISCUSSIONS AS WELL. AND I THINK WHAT THE
24 EXECUTIVE INDICATED EARLIER TO COUNCIL WAS THAT HE WANTED --
25 IF AT THE TIME THE BUDGET WAS RECOMMENDED THE STATE HAD NOT

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1 RESOLVED THAT ISSUE AND WHAT HE HAD INDICATED THAT, IF THAT
2 FUNDING WAS NOT, YOU KNOW, COMING FROM THE STATE HE WOULD LIKE
3 TO WORK WITH THE COUNCIL TO RESOLVE THAT RATHER THAN TO, AT
4 THIS POINT, IDENTIFY ANY SPECIFIC REDUCTIONS, EITHER
5 EXPENDITURE REDUCTIONS OR REVENUE INCREASE OR -- [OVERLAPPING
6 VOICES]

7

8 **COUNCIL PRESIDENT PEREZ:** THERE'S A LOT OF PEOPLE LAUGHING
9 BEHIND YOU AND THERE'S A LOT OF PEOPLE LAUGHING IN FRONT OF
10 YOU. [LAUGHTER]

11

12 **COUNCILMEMBER PRAISNER:** HE'S GOING TO SEND THEM OVER WITH THE
13 OTHER GRANT REQUESTS, I GUESS.

14

15 **JOE BEACH:** AS FAR AS HIGHWAY USER REVENUES THAT YOU MENTIONED,
16 FOR WHATEVER REASON IT HAS TAKEN A WHILE TO GET A DEFINITIVE
17 ANSWER FROM THE STATE DEPARTMENT OF TRANSPORTATION ABOUT WHAT
18 THE REVISED ALLOCATION TO MONTGOMERY COUNTY IS. AND WE SHOULD
19 HAVE THAT, WE BELIEVE, SHORTLY. AND SNOW REMOVAL, THE
20 SUPPLEMENTAL APPROPRIATION, WHICH WE PROVIDED FOR IN THE SET-
21 ASIDE IN THE EXECUTIVE'S BUDGET, WILL BE COMING THIS WEEK AS
22 WELL.

23

24 **COUNCIL PRESIDENT PEREZ:** MS. FLOREEN?

25

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1 **COUNCILMEMBER FLOREEN:** I AM COMPELLED TO FOLLOW UP.

2 [LAUGHTER]

3

4 **COUNCILMEMBER FLOREEN:** SO, NUMBER ONE, YOU'RE SAYING THE
5 COUNTY EXECUTIVE HAS NO OPINION AT THIS POINT AS TO WHAT WE DO
6 WITH THE REDUCTION IN STATE AID FOR THE SCHOOL SYSTEM?

7

8 **JOE BEACH:** NO, I WOULDN'T SAY HE DOESN'T HAVE ANY OPINION. I'D
9 SAY THAT HE'S OPEN TO A NUMBER OF OPTIONS ABOUT HOW WE CAN,
10 YOU KNOW, ADDRESS --

11

12 **COUNCILMEMBER FLOREEN:** WHAT WOULD THOSE OPTIONS BE?

13

14 **JOE BEACH:** WELL, IT COULD BE EXPENDITURE REDUCTIONS.

15

16 **COUNCILMEMBER FLOREEN:** THAT WOULD BE AN IDEA. ANY OTHER IDEAS?

17

18 **JOE BEACH:** NOT MORE SPECIFIC THAN --

19

20 **COUNCILMEMBER FLOREEN:** NOT YET. OKAY. THANK YOU. AS TO HIGHWAY
21 USER, THE NUMBER WE HAD BEFORE WAS A REDUCTION OF \$2.8 MILLION.
22 ARE YOU SAYING THAT NUMBER IS INCORRECT?

23

24 **SPEAKER:** MRS. FLOREEN, WHAT WE HAVE SEEN, WE HAVE ALSO HEARD
25 \$2.5. WE HAVE MADE NUMEROUS CALLS OVER TO THE STATE --

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1

2 **COUNCILMEMBER FLOREEN:** SO IT'S BETWEEN 2.8 AND 2.5?

3

4 **SPEAKER:** NO, BECAUSE THE OTHER PART THAT WE HAVE NOT BEEN ABLE
5 TO GET ANY CONFIRMATION FROM THE STATE, FOR REPEATED CALLS, IS
6 THAT -- IS THAT THE NUMBER OF THE COUNTY'S IMPACT OR COUNTY
7 AND MUNICIPALITY? WHEN YOU GET THE MATRIX ON THE HIGHWAY USER
8 FUND THERE IS THE PART THAT'S TEASED OUT. AND WE HAVE MADE
9 REPEATED CALLS. WE CAN'T TELL IF IT IS 2.8, 2.5 OR 2.2. WE
10 HAVE NOT BEEN ABLE TO GET ANY CONFIRMATION.

11

12 **COUNCILMEMBER FLOREEN:** OKAY. SO WHAT YOU'RE SAYING IT IS THAT
13 THE PASS-THROUGH TO MUNICIPALITIES ELEMENT HAS NOT BEEN
14 RESOLVED EITHER.

15

16 **SPEAKER:** AND THAT'S THE PORTION WE HAVE NOT BEEN ABLE TO
17 CONFIRM.

18

19 **COUNCILMEMBER FLOREEN:** SO, THAT'S THE ISSUE.

20

21 **SPEAKER:** THAT'S CORRECT.

22

23 **COUNCILMEMBER FLOREEN:** OKAY. WELL THEN, THAT'S NOT TOO MUCH OF
24 A RANGE THEN. THE -- THIS IS IT, THEN, IN TERMS OF CHANGES? I
25 MEAN, THERE ACTUALLY ARE PROGRAMS AND THINGS ADDED IN TERMS OF

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1 THE ADJUSTMENTS. WELL, WE'LL DEAL WITH ALL OF THAT IN
2 COMMITTEE. THE REAL QUESTION IS, WHEN EXACTLY ARE WE GOING TO
3 GET THE ISSUE -- THE BILL FOR SNOW REMOVAL? IS IT CLOSE TO \$13
4 MILLION, AS WE WERE TOLD PREVIOUSLY?

5
6 **SPEAKER:** THE SNOW REMOVAL IS NOW ON OUR FLOOR AND WE WILL BE
7 SENDING IT DOWN TO THE SECOND FLOOR FOR SIGNATURE IN THE NEXT
8 DAY, IN ALL LIKELIHOOD. WE HAVE THAT READY AND IT SHOULD BE
9 ABLE TO BE TRANSMITTED BY THE END OF THE WEEK.

10
11 **COUNCILMEMBER FLOREEN:** CAN YOU GIVE US A HINT OF THE NUMBER?

12
13 **SPEAKER:** IT IS LESS THAN 13.

14
15 **COUNCIL PRESIDENT PEREZ:** I HOPE SO. BECAUSE I WAS ONLY GONE
16 FOR ONE WEEK THIS WINTER AND MAYBE THAT WAS THE WEEK IT
17 SNOWED?

18
19 **SPEAKER:** [COMPETING VOICES] IS THE READINESS. THEY HAVE TO BE
20 READY TO BE DEPLOYED. THAT IS A FACTOR REGARDLESS OF WHETHER
21 IT ACTUALLY SNOWS OR WHETHER EVENTS -- THEY ARE DEPLOYED AHEAD
22 OF TIME TO BE READY AND --

23
24 **COUNCILMEMBER FLOREEN:** WELL, WE'LL BE LOOKING AT ALL THOSE
25 ELEMENTS VERY CAREFULLY.

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1

2 **SPEAKER:** AND IT IS LESS THAN 13.

3

4 **COUNCILMEMBER FLOREEN:** HOW MUCH?

5

6 **SPEAKER:** SEVERAL MILLION LESS.

7

8 **COUNCILMEMBER FLOREEN:** WELL, THAT'S SOMETHING. THANK YOU.

9

10 **COUNCIL PRESIDENT PEREZ:** MR. FARBER, DID YOU HAVE ANYTHING
11 ELSE TO TAKE US THROUGH ON THIS DOCUMENT?

12

13 **STEVE FARBER:** NO. I THINK COUNCIL MEMBERS HAVE RAISED THE
14 QUESTIONS THAT WE NEED ANSWERS TO AND, IN PARTICULAR, WHEN THE
15 EXECUTIVE'S VIEWS ON THE STATE AID THAT WAS NOT FORTHCOMING OR
16 AVAILABLE, OR AS SOON AS THEY'RE AVAILABLE, THEY'D BE
17 OBVIOUSLY VERY HELPFUL TO THE EDUCATION COMMITTEE AND COUNCIL
18 AS A WHOLE BECAUSE IT IS A \$12.1 MILLION HOLE IN THE BUDGET.

19

20 **COUNCIL PRESIDENT PEREZ:** THANK YOU. MR. SILVERMAN?

21

22 **COUNCILMEMBER SILVERMAN:** YEAH, I'M NOT SURE HOW YOU'RE GOING
23 TO HANDLE THIS, MR. PEREZ, BUT THE GAITHERSBURG EMPLOYMENT
24 CENTER, FOR EXAMPLE, IS LISTED IN AN N.D.A. FOR LEASES. SO,

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1 I'M NOT SURE HOW THE PARSING OF THESE PIECES GETS SENT AROUND
2 THE CORNER BUT --

3

4 **COUNCIL PRESIDENT PEREZ:** WHO'S DOING THE WHEATON -- IS THAT
5 YOU? THIS IS THE IDENTICAL AMOUNT TO THE NEWLY DEVELOPING SITE
6 IN WHEATON. IS THAT -- IS THAT YOUR COMMITTEE, MR. SILVERMAN?

7

8 **STEVE FARBER:** LEASES I BELIEVE ARE BEING --

9

10 **SPEAKER:** THE REGIONAL SERVICE CENTERS.

11

12 **STEVE FARBER:** THE LEASES ARE BEING HANDLED --

13

14 **SPEAKER:** THROUGH THE R.S.C.S.

15

16 **STEVE FARBER:** YES, BY THE --

17

18 **COUNCIL PRESIDENT PEREZ:** OH, THAT'S RIGHT. WE DID THAT LAST
19 WEEK, WHEN WE HAD THE JOINT SESSION. DIDN'T WE? [OVERLAPPING
20 VOICES]

21

22 **COUNCILMEMBER PRAISNER:** WE DID THE URBAN DISTRICT PIECE AND
23 THEN THE M.F.P. CAME IN.

24

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1 **COUNCIL PRESIDENT PEREZ:** THE WHEATON CENTER I THINK WAS IN
2 THE--

3

4 **COUNCILMEMBER PRAISNER:** SOME OF IT WAS IN THE URBAN DISTRICT.

5

6 **JOE BEACH:** I THOUGHT WHAT THEY DID WAS THEY BROKE IT OUT SO
7 YOU'VE GOT TWO, YOU'VE GOT THE LEASE, AND THEN THERE'S THE
8 OPERATIONS PIECE IN HERE SO IT'S-- [OVERLAPPING VOICES]

9

10 **COUNCILMEMBER PRAISNER:** YEAH, THERE ARE TWO ELEMENTS FOR
11 GAITHERSBURG.

12

13 **COUNCILMEMBER KNAPP:** RIGHT. OKAY. WELL, I'M INTRIGUED AS TO
14 WHY THEY WEREN'T IN ORIGINAL BUDGET BECAUSE CONVERSATIONS
15 ACTUALLY PRECEDED THE WHOLE BUDGET BEING SENT OVER TO US AND
16 SO WHY THIS IS OVER HERE NOW, I'M NOT EXACTLY SURE BUT --

17

18 **COUNCIL PRESIDENT PEREZ:** WAS THAT A RHETORICAL QUESTION, MR.
19 KNAPP OR WAS THAT A QUESTION THAT --

20

21 **COUNCILMEMBER KNAPP:** WELL, IT SEEMS TO BE FITTING A TREND WITH
22 THIS BUDGET, YES. THIS IS THE MIC SEAT--

23

24 **COUNCIL PRESIDENT PEREZ:** YOU HAVE TO BE A MIC TO SIT THERE.

25

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1 **COUNCILMEMBER KNAPP:** IT SEEMS TO BE FITTING A TREND WE'RE
2 SEEING WITH THE BUDGET BUT I KNOW CONVERSATIONS ARE ONGOING
3 WITH THE CITY OF GAITHERSBURG AND OTHERS. BACK IN JANUARY
4 TIMEFRAME WE HAD A ROUGH ESTIMATE AS TO WHAT THE NUMBERS WERE
5 WELL IN ADVANCE OF THE BUDGET BEING SENT OVER TO US. AND TO
6 GET IT NOW I THINK KIND OF BEGS THE QUESTION. DOESN'T DIMINISH,
7 I THINK, THE IMPORTANCE BUT I'M NOT SURE WHY IT WASN'T IN THE
8 BROADER BUDGET.

9
10 **COUNCIL PRESIDENT PEREZ:** WELL, I'M CONFIDENT THE PUBLIC SAFETY
11 COMMITTEE WILL ALSO BE ASKING ABOUT \$800,000 -- \$837,000 ON
12 CLASSIFICATION STUDIES AND RECLASSIFICATION ISSUES -- THOSE
13 DON'T STRIKE ME AS THINGS -- I CAN UNDERSTAND THE SMALL
14 BUSINESS RESERVE. WE JUST PASSED THAT BILL. THAT'S AN
15 UNDERSTANDABLE, POST-MARCH 15TH, THAT'S AN EASY ONE. BUT
16 NUMBERS 2 AND 3 THERE, DID THE CLASSIFICATION COME UP IN THE
17 LAST SIX WEEKS?

18
19 **SPEAKER:** APPARENTLY IT WAS EFFECTIVE LAST WEEK -- TWO WEEKS
20 AGO.

21
22 **SPEAKER:** THAT IS EXACTLY CORRECT. THE DECISION HAD JUST BEEN
23 DONE APRIL 17TH.

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1 **COUNCIL PRESIDENT PEREZ:** WELL, WE LOOK FORWARD TO HEARING ALL
2 OF THE EXPLANATIONS IN EACH OF THESE CONTEXTS, WITH, AGAIN, AN
3 UNDERSTANDING THAT THIS IS A LOT MORE MONEY. [LAUGHTER] MR.
4 SILVERMAN?

5
6 **COUNCILMEMBER SILVERMAN:** I'M SORRY. I JUST HAVE TO ASK,
7 BECAUSE YOU GUYS ARE HERE. SO ON, I GUESS IT IS PAGE TWO OF
8 SIX OF THIS DOCUMENT, IN THE SECTION ON THE SERGEANT POSITION
9 -- I DON'T MEAN TO FOCUS IN ON THIS, IT'S JUST THAT THIS IS
10 YOUR LANGUAGE. YOU SENT THIS OVER. YOU DIDN'T MAKE THIS -- YOU
11 CAN'T MAKE THIS STUFF UP. [LAUGHTER] .

12
13 **COUNCILMEMBER SILVERMAN:** IT SAYS, AS A RESULT OF THE
14 OCCUPATIONAL CLASS STUDY, O.H.R HAS RECOMMENDED CREATION OF A
15 NEW SUPERVISORY CLASS. THERE ARE 42 MASTER CORRECTIONAL
16 OFFICERS ELIGIBLE FOR PROMOTION TO SERGEANT POSITION. MASTER
17 CORRECTION OFFICER POSITION WILL EVENTUALLY BE DISCONTINUED.
18 THE CLASSIFICATION ACTION WILL BE EFFECTIVE APRIL 17, 2005. SO
19 IN THE CONTINUING SAGA OF FAITS ACCOMPLIS, ARE YOU ACTUALLY
20 SUGGESTING TO US THAT THIS IS A BUDGET DECISION THAT WE COULD
21 CHOOSE NOT TO MAKE? I MEAN, ENLIGHTEN US ABOUT THE FLEXIBILITY
22 WE HAVE OF EVALUATING THIS ALONG WITH ALL THE OTHER COMPETING
23 PRIORITIES -- [OVERLAPPING VOICES] [OVERLAPPING VOICES]

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1 **COUNCILMEMBER SILVERMAN:** IF YOU'VE MADE A CLASSIFICATION
2 DECISION AS OF APRIL 17TH, THE SAME WITH REGARD TO THE -- TO
3 THE ITEM BELOW THAT.

4

5 **SPEAKER:** THAT IS CORRECT. THIS WOULD HAVE TO BE IMPLEMENTED
6 NOW. WE ARE ALSO LOOKING AT THE IMPACT FOR THE LAST QUARTER OF
7 THIS YEAR SINCE IT IS EFFECTIVE APRIL 17TH.

8

9 **COUNCILMEMBER SILVERMAN:** BUT I'M JUST TRYING TO SAY, WHEN YOU
10 SAY YOU ARE TRYING TO UNDERSTAND IMPACT. THE IMPACT IS YOU SAY
11 -- THE COUNTY EXECUTIVE SENT OVER A BUDGET THAT HAS AMENDMENTS
12 AND IT INCLUDES \$800,000 OF DECISIONS THAT THE EXECUTIVE
13 BRANCH MADE. SO, I'LL ASK THE OBVIOUS QUESTION. WHAT HAPPENS
14 IF WE DO NOT FUND THESE TWO ITEMS?

15

16 **SPEAKER:** [SPEAKER NOT UNDERSTOOD]

17

18 **COUNCILMEMBER SILVERMAN:** I GUESS I'LL DIRECT THIS TO THE
19 FORMER O.M.B. PERSON, WHO HAPPENS TO BE SITTING HERE IN HIS
20 NEW CAPACITY, JOE.

21

22 **JOE BEACH:** OH, I CAN'T ESCAPE THE BUDGET. EITHER THEY WOULD
23 HAVE TO REDUCE STAFF, REDUCE HOURS. BUT INASMUCH AS THE
24 PERSONNEL REGULATIONS, YOU KNOW, PROVIDE FOR THIS TYPE OF
25 PROCESS AND APPROVAL OF CLASSIFICATION DECISIONS, THE PEOPLE

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1 IN THESE POSITIONS WOULD HAVE TO BE PAID THE WAGES THAT ARE
2 THE RESULT OF THE CLASSIFICATION DECISION. NOW, THERE'S OTHER
3 WAYS OF OFFSETTING THAT, OF COURSE, IN THE BUDGET BUT --
4 [OVERLAPPING VOICES]

5

6 **COUNCILMEMBER PRAISNER:** PART OF THE ISSUE IS, I DON'T THINK
7 THE M.F.P. COMMITTEE WAS EVER NOTIFIED THAT A CLASSIFICATION
8 STUDY WAS GOING ON THAT WOULD HAVE A COST IMPLICATION AND
9 WOULD BE THERE. OR THE QUESTION IS, DID YOU RESERVE THE COSTS
10 OF THIS SUCH THAT THEY WERE ABSORBED AS A KNOWN COST THAT WAS
11 COMING, SO THAT WHEN YOU GAVE US THE END-OF-YEAR RESERVE
12 ESTIMATES YOU SUBTRACTED OUT THE COSTS OF THIS, SUCH THAT IT
13 WAS INCORPORATED?

14

15 **SPEAKER:** NO, COUNCIL MEMBER PRAISNER, WE DID NOT ANTICIPATE
16 THIS COST AND ANTICIPATE THE --

17

18 **COUNCILMEMBER PRAISNER:** SO, I GUESS WHEN WE TALK ABOUT OFFICE
19 OF HUMAN RESOURCES IN THE M.F.P. COMMITTEE, I WANT TO KNOW
20 WHAT DID WE KNOW, WHEN DID WE KNOW IT AND WHY DIDN'T WE TELL
21 ANYBODY.

22

23 **COUNCILMEMBER SILVERMAN:** I WANT TO KNOW WHETHER THEY HAVE ANY
24 JEEPS OVER IN, LEFT IN THE EXECUTIVE BRANCH. [LAUGHTER] .

25

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1 **BERYL FEINBERG:** WE HAVE BEEN WATCHING THESE TWO CLASSIFICATION
2 ACTIONS FOR THE PAST TWO MONTHS AND WORKING WITH THE OFFICE OF
3 HUMAN RESOURCES TO FIND OUT WHEN A DECISION WOULD BE MADE AND
4 WHEN IT GOT TO AS LATE AS JUST BEFORE MARCH 15TH AND NO
5 DECISION HAD BEEN MADE ON THIS IT WAS NOT INCLUDED. NOW, SINCE
6 THE DECISION WAS MADE WE DIDN'T --

7
8 **COUNCILMEMBER PRAISNER:** I UNDERSTAND THAT, BERYL. BUT THE
9 POINT IS, JUST LIKE WE IDENTIFY THINGS THAT ARE COMING DOWN
10 THE ROAD THAT AREN'T RIPE AS YET BUT ARE MAJOR KNOWN
11 COMMITMENTS THAT ARE LIKELY TO OCCUR, TO SOME EXTENT O.M.B.
12 HAS PROVIDED FOR THAT BY SUBTRACTING IT OUT OR CARVING SOME
13 SPACE IN THE RESERVE FUNDS IN ORDER TO ABSORB THAT WHEN IT
14 OCCURS. IT'S NOT LIKE YOU DIDN'T KNOW A STUDY WAS IN PLAY. YOU
15 DIDN'T KNOW -- YOU PROBABLY COULD HAVE PROJECTED THE COST
16 IMPLICATIONS. SO WHY NOT, WHEN YOU ARE LOOKING AT THE LITANY
17 OF THINGS THAT ARE POTENTIAL COST IMPLICATIONS IN ORDER FOR US
18 TO BUILD THE NEXT BUDGET ASSUMPTIONS OF COST, YOU ARE NOT
19 KEEPING THAT AS A POSSIBILITY THAT MAY OR MAY NOT. IT WOULD BE
20 NICE -- IF IT TURNS OUT THAT THIS DIDN'T COME FORWARD -- SO IT
21 WOULD HAVE BEEN A SURPRISE ON THE POSITIVE SIDE FROM A COST,
22 BUT IT WOULDN'T BE A SURPRISE ON THE NEGATIVE SIDE. AND THERE
23 ARE THINGS THAT OCCUR THAT WE DON'T KNOW ANYTHING ABOUT. LIKE
24 LEGISLATIVE OBLIGATIONS, ET CETERA, OR THE ATTORNEY GENERAL
25 RULING THAT WE HAVE TO PAY PART OF THE COST OF THE STATE'S

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1 BOARD OF ELECTIONS MANAGEMENT. WE MAY NOT HAVE KNOWN THAT WAS
2 THERE BUT SURE AS HECK SHOULD HAVE KNOWN THAT OUR OWN
3 DEPARTMENT OF HUMAN RESOURCES WAS MAYBE TWO OR THREE WEEKS
4 AWAY FROM A COST IMPLICATION THAT'S ALMOST A MILLION DOLLARS.
5 THAT WE SHOULD HAVE KNOWN.

6
7 **COUNCIL PRESIDENT PEREZ:** MR. ANDREWS?

8
9 **COUNCILMEMBER ANDREWS:** THANK YOU. YEAH, I THINK IT'S HIGHLY
10 IRRESPONSIBLE OF THE EXECUTIVE BRANCH NOT TO HAVE LET THE
11 COUNCIL KNOW THIS WAS IN WORKS, GIVEN THE FISCAL IMPACT OF
12 THIS. AND IT'S CLEAR THAT THE BUDGET ISN'T JUST AS BAD AS IT
13 APPEARED. IT'S WORSE THAN IT APPEARED.

14
15 **COUNCIL PRESIDENT PEREZ:** MS. FLOREEN?

16
17 **COUNCILMEMBER FLOREEN:** WELL, LET ME JUST COMMENT. ONE POINT
18 THAT REALLY HASN'T BEEN MADE -- ALTHOUGH PERHAPS MRS. PRAISNER
19 REFERRED TO IT, IS WHAT'S THE LONG-TERM SOURCE OF REVENUE THAT
20 WE INTEND TO HAVE TO PAY FOR THIS? BECAUSE YOU'RE BASICALLY
21 TAKING IT OUT OF, I THINK, ONE-TIME F.E.M.A. REIMBURSEMENT FOR
22 HURRICANE ISABEL. THAT'S NOT GOING TO KEEP HAPPENING.

23 [OVERLAPPING VOICES] [LAUGHTER] .
24

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1 **SPEAKER:** I DON'T THINK SHE MEANT IT THAT WAY. [SPEAKER NOT
2 UNDERSTOOD]

3

4 **COUNCILMEMBER FLOREEN:** WELL, THIS WILL BE INTERESTING.

5

6 **COUNCIL PRESIDENT PEREZ:** OKAY. WELL, MR. SUBIN, GOOD MORNING.

7

8 **COUNCILMEMBER SUBIN:** GOOD MORNING, AGAIN. HOW ARE YOU TAKING
9 IT OUT OF THE REIMBURSEMENT FROM F.E.M.A.? BECAUSE --

10 [OVERLAPPING VOICES]

11

12 **COUNCILMEMBER SUBIN:** WELL, WAIT. F.E.M.A.'S REIMBURSING YOU
13 EITHER FOR COSTS YOU INCUR FOR THE URBAN --

14

15 **SPEAKER:** [SPEAKER NOT UNDERSTOOD]

16

17 **COUNCILMEMBER SUBIN:** YEAH, FOR THAT. OR YOU PAID THEM, YOU
18 PAID THE FIREFIGHTERS OUT OF THAT AND THE EQUIPMENT AND SO
19 WHERE IS THAT MONEY GOING BACK TO? I THINK THAT IN AND OF
20 ITSELF REQUIRES SOME ANSWERS BECAUSE THERE ARE LEGAL ISSUES
21 INVOLVED WITH THAT MONEY.

22

23 **SPEAKER:** COUNCIL MEMBER SUBIN, IF I CAN CLARIFY ON THAT. THIS
24 IS A SOURCE OF FUNDING. THE EXPENDITURES WERE INCURRED IN FIRE
25 RESCUE AND WERE FUNDED OUT OF THE NORMAL BUDGET.

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1

2 **SPEAKER:** OUT OF GENERAL FUNDS?

3

4 **SPEAKER:** RIGHT. [SPEAKER NOT UNDERSTOOD]

5

6 **COUNCILMEMBER SUBIN:** I'M STILL AS CONFUSED. THAT REIMBURSEMENT
7 FROM F.E.M.A. WAS NOT REIMBURSEMENT FOR LOCAL SMALL BUSINESS
8 RESERVE PROGRAM OR FOR AUNT HATTIE'S PLACE OR FOR THE TAKOMA
9 PARK POLICE REBATE, WHICH I'M BAFFLED BY WHY THAT WASN'T IN
10 THE REGULAR BUDGET. THAT ABSOLUTELY SHOULD HAVE BEEN THERE.
11 THERE IS A -- THERE'S SUPPOSED TO BE A ONE-TO-ONE CORRELATION
12 BETWEEN MONEY SPENT BY D.F.R.S. AND THE MONEY COMING BACK FROM
13 F.E.M.A. I MEAN, I'LL CEDE TO MRS. PRAISNER ON THIS ONE, BUT I
14 APPEAR TO BE MISSING SOMETHING, CLEARLY.

15

16 **SPEAKER:** [SPEAKER NOT UNDERSTOOD]

17

18 **COUNCILMEMBER SUBIN:** BUT, NO. WAIT, WAIT, WAIT, WAIT! YOU
19 CAN'T LET THEM GET OFF THAT EASY. WE'RE MESSING WITH FEDERAL
20 DOLLARS HERE.

21

22 **JOE BEACH:** F.E.M.A. REIMBURSEMENTS, WHETHER IT IS FROM
23 DEPARTMENT OF PUBLIC WORKS AND TRANSPORTATION OR -- WHICH GOES
24 INTO THE GENERAL FUND, OR FOR FIRE AND RESCUE, IN THIS CASE
25 THE COSTS WERE INCURRED, THE COSTS WERE PAID OUT. WE RECEIVED

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1 A -- THERE WAS A DELAY IN RECEIVING THE REIMBURSEMENT AND
2 THOSE FUNDS ARE TYPICALLY DEPOSITED, WHETHER IT'S IN THE
3 GENERAL FUND OR IN THE FIRE AND RESCUE DIRECT. BUT NONETHELESS,
4 THEY ARE A TAX-SUPPORTED REVENUE AND HAVE ALWAYS BEEN
5 RECOGNIZED AND BOOKED AS TAX-SUPPORTED REVENUES. IN THAT WAY
6 THEY'RE GENERALLY AVAILABLE FOR ANY EXPENDITURE IN THE BUDGET.
7 WE INCURRED THOSE COSTS AND FOR THOSE THAT WERE ELIGIBLE, THE
8 FEDERAL GOVERNMENT PAID IT BACK. THERE IS NO OBLIGATION TO
9 KEEP SPENDING THE REIMBURSEMENT ON THOSE -- ON THOSE COSTS.
10 THEY ARE JUST PAYING US BACK FOR THINGS THAT WE HAD PAID OUT
11 EARLIER.

12
13 **COUNCILMEMBER SUBIN:** JOE, I AM HARPING ON THIS BECAUSE I THINK
14 THERE'S A REAL ISSUE HERE. THE WAY I UNDERSTAND THAT SYSTEM,
15 OKAY, HAVING SPENT THREE YEARS DIRECTLY IN IT, THE CORD IS
16 PULLED AND WHETHER IT'S AN EMERGENCY RIGHT HERE OR SOMEWHERE
17 ELSE, IN THIS CASE THE U.S.A.R. TEAM GOES OUT. WHEN THE
18 U.S.A.R. TEAM GOES OUT THEY HAVE TO BE PAID FOR THAT AND YOU
19 NEED TO BACKFILL THEIR SPOTS WITH OVERTIME. NOW, THEY ALSO USE
20 UP SUPPLIES WHILE THEY'RE GONE. WHETHER THEY ARE ROPES OR
21 TENTS OR BACKPACKS OR WHATEVER ELSE. AND ON THOSE MATERIAL
22 COSTS A CHIT IS MADE OUT. ON THOSE PERSONNEL COSTS THOSE ARE
23 GOING INTO THE POCKETS OF THE PERSONNEL. AND SO YOU SHOULD GET
24 FOR EVERY THING ALLOWED, EVERY DOLLAR ALLOWED AND EVERY DOLLAR
25 RECEIVED, YOU GET A CHECK. AND THAT CHECK GOES TO REPURCHASE

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1 THE BOOTS OR THE UNIFORMS OR THE TENTS OR MORE M.R.E.S TO PUT
2 INTO THE STOCKPILE FOR WHEN THE U.S.A.R. TEAM HAS TO GO OUT
3 AGAIN FROM F.E.M.A. HOW ARE YOU GETTING -- SOMEBODY TELL ME IS
4 WE RE GETTING EXCESS DOLLARS OR WE'RE NOT PUTTING THE SUPPLIES
5 BACK INTO THE WAREHOUSE.

6
7 **JOE BEACH:** NO THOSE COSTS WERE INCURRED, JUST LIKE YOU SAID.
8 THE BACKFILL COSTS HAVE ALREADY BEEN INCURRED AS WELL. IT'S
9 ALREADY BEEN PROVIDED FOR IN THE BUDGET. THIS IS JUST LATER
10 REVENUES THAT WE'VE RECEIVED. LIKE I SAID, THEY BECOME GENERAL
11 REVENUES OF THE COUNTY. EITHER IN THE GENERAL FUND OR THE FIRE
12 AND RESCUE FUND. WE'VE ALREADY REPLENISHED THE SUPPLIES THAT
13 WERE USED.

14
15 **COUNCILMEMBER SUBIN:** MRS. PRAISNER, CAN YOU USE THOSE F.E.M.A.
16 MONIES FOR THE GENERAL FUND?

17
18 **COUNCILMEMBER PRAISNER:** IF YOU USE THE GENERAL FUND TO PAY FOR
19 THOSE EXPENSES IN THE FIRST PLACE, THEN YOU'RE REIMBURSING THE
20 GENERAL FUND. I THINK GIVEN THE F.E.M.A. AND THE AUDIT
21 REQUIREMENTS THAT GO THROUGH THE FUNDS -- I MEAN, WE'LL HAVE A
22 CONVERSATION ABOUT IT BUT I THINK THEY'RE PROBABLY OKAY WITH
23 THOSE ISSUES BECAUSE THEY'RE USING F.E.M.A. MONEY TO REIMBURSE
24 ALREADY EXPENDED COUNTY FUNDS. AND SO THEY'RE PUTTING IT BACK
25 IN THE COUNTY, WHERE THOSE FUNDS CAME FROM IN THE FIRST PLACE.

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1

2 **COUNCILMEMBER SUBIN:** WELL --

3

4 **COUNCILMEMBER PRAISNER:** AS LONG AS THEY REPLACE THE KINDS OF
5 EQUIPMENT AND THE SERVICE IS NOT HURT BY THAT ISSUE, THE
6 ORIGINAL MONEY CAME OUT OF THE GENERAL FUND.

7

8 **COUNCILMEMBER SUBIN:** WELL, THEN, YOU NEED TO NOT SAY THAT
9 THESE MONEYS ARE BEING PAID WITH BY FEES FROM F.E.M.A. THE
10 ISSUE IS, YOU HAVE A RESERVE AND IT IS AT SOME POINT AND YOU
11 ARE NOW PAYING FOR THEM. BUT THERE SHOULD BE NO RELATIONSHIP
12 BETWEEN THE F.E.M.A. REIMBURSEMENT AND THE ITEMS THAT ARE
13 LISTED. NONE. AND I WANT TO KNOW, I WANT TO KNOW IF BECAUSE OF
14 THIS LIST THERE IS ONE PAIR OF GLOVES, THERE ARE ONE PAIR OF
15 STEEL-TOED BOOTS, THERE IS ONE LESS MEAL, THERE IS ONE LESS
16 GALLON OF GAS AVAILABLE TO THE U.S.A.R. TEAM FOR THE NEXT
17 CALL-OUT AS A RESULT OF THIS. THE WORD F.E.M.A. SHOULD NEVER,
18 EVER, EVER HAVE ENTERED INTO THIS.

19

20 **COUNCILMEMBER PRAISNER:** WELL, BUT THEY HAVE TO SHOW THE SOURCE
21 OF FUND --

22

23 **COUNCILMEMBER SUBIN:** IT IS NOT THE SOURCE OF FUND. THE SOURCE
24 OF FUND IS THE GENERAL FUND. IT'S NOT F.E.M.A.

25

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1 **COUNCILMEMBER PRAISNER:** NO. I SHOULD HAVEN'T USED THE SOURCE
2 OF FUNDS. THEY SHOULD -- THEY HAVE TO IDENTIFY REVENUE THAT
3 THEY'VE RECEIVED.

4
5 **COUNCILMEMBER SUBIN:** BUT MARILYN, IT'S NOT REVENUE. IT'S
6 REIMBURSEMENT. REVENUE MEANS IT'S MONEY THAT YOU HAVE THAT IS
7 NOT ENCUMBERED, HAS NO REQUIREMENTS, NO ANYTHING.

8
9 **COUNCILMEMBER PRAISNER:** WELL, THAT IS NOT QUITE TRUE, MICHAEL,
10 I DON'T THINK, BECAUSE ALL OF OUR REVENUE IS REVENUE.

11
12 **COUNCILMEMBER SUBIN:** NO. IT'S NOT REVENUE. IT IS NOT REVENUE.

13
14 **COUNCILMEMBER PRAISNER:** IT'S REIMBURSEMENT REVENUE.

15
16 **COUNCILMEMBER SUBIN:** IT IS REIMBURSEMENT FOR MONIES EXPENDED
17 BUT THE ONLY THING THAT SHOULD SHOW UP ON A LIST UNDER THAT IS
18 THAT EQUIPMENT OF THOSE PERSONNEL COSTS. AND I HOPE THE ANSWER
19 TO MY QUESTION BEFORE IS 0. BECAUSE IF IT IS NOT -- IF IT'S
20 SOMETHING OTHER THAN THAT WE HAVE A BIG PROBLEM.

21
22 **COUNCIL PRESIDENT PEREZ:** THANK YOU MR. SUBIN. MR. KNAPP.

23
24 **COUNCILMEMBER KNAPP:** QUICK FOLLOW-UP. IS IT POSSIBLE FOR US TO
25 ACTUALLY GET THE F.E.M.A. APPLICATION THAT WE SUBMITTED SO WE

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1 KNOW WHAT IT IS WE'RE ACTUALLY BEING REIMBURSED FOR? GETS TO
2 KIND OF MR. SUBIN'S QUESTION, SO WE HAVE SOME IDEA, IF IT'S
3 FIRE AND RESCUE, D.P.W.T., WHATEVER, SO WE AT LEAST KNOW WHAT
4 DEPARTMENT GOT SHORT-CHANGED RELATIVE TO WHAT WE THOUGHT WE
5 WERE FUNDING THE PREVIOUS YEAR?

6
7 **SPEAKER:** WE WILL MAKE THAT AVAILABLE.

8
9 **COUNCIL PRESIDENT PEREZ:** ONE FINAL OBSERVATION, THEN WE'LL
10 MOVE TO THE PUBLIC HEARING. ON THE GEOGRAPHIC COST OF
11 EDUCATION, THIS IS A PROBLEM CREATED BY THE GOVERNOR. MAKE NO
12 MISTAKE ABOUT IT. THERE HAS BEEN A PROMISE THAT HASN'T BEEN
13 KEPT. THIS IS THE BIGGEST ASPECT OF THE TRAIL OF BROKEN
14 PROMISES FROM ANNAPOLIS. WE'VE KNOWN THAT FOR A LONG TIME. YOU
15 ARE CORRECT IN THAT REGARD. WE -- IT MAY HAVE BEEN PRUDENT
16 WITH THE BENEFIT OF HINDSIGHT NOT TO INCLUDE IT IN THE BUDGET
17 TO BEGIN WITH WHEN WE KNOW THAT THE LIKELIHOOD IS SUCH THAT WE
18 WEREN'T GOING TO GET IT. AS A RESULT OF THE INCLUSION WE HAVE,
19 AGAIN, INFLATED EXPECTATIONS WITHIN THE COMMUNITY. AND NOW THE
20 BALL IS IN OUR COURT AT THE COUNTY COUNCIL. AND IT IS -- WE
21 HAVE PEOPLE WHO HAVE AN EXPECTATION ABOUT WHAT WE CAN AND
22 CAN'T DO. AND THAT IS, I THINK, THE FRUSTRATION, JOE, AND
23 OTHERS THAT YOU ARE SENSING HERE FROM THE COUNCIL BECAUSE THE
24 REALITY IS IT HAS NOT BEEN FULL FUNDING OF THE DEPARTMENT'S OF
25 M.C.P.S.'S BUDGET. IT'S NOT YOUR FAULT. AGAIN, LET'S BE CLEAR

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1 ON WHO THE VILLAIN IS HERE. AND I USE THAT TERM -- WELL, IT IS
2 WHAT IT IS. I THINK THE PERSON RESPONSIBLE HERE IS THE -- I
3 USE THAT TERM PEJORATIVELY, THANK YOU, MR. SILVERMAN. AND I
4 ADMIT IT. BUT IT PUTS -- [LAUGHTER]

5

6 **COUNCIL PRESIDENT PEREZ:** THE EXPECTATION CHALLENGES HERE ARE
7 AS DAUNTING AS EVER. MR. SUBIN, DID YOU HAVE A FINAL COMMENT?

8

9 **COUNCILMEMBER SUBIN:** JUST A FOLLOW-UP TO THAT. I MEAN WE WERE
10 TOLD WHEN THE BUDGET CAME OVER THAT THE SCHOOL SYSTEM BUDGET
11 WAS FULLY FUNDED FOR '06. I MEAN, THAT IS PATENTLY WRONG. IT
12 WAS UNDER FUNDED BY \$18 MILLION. \$6 MILLION THAT CAME OUT OF
13 '05 AND THE \$12 MILLION G.C.E.I. SO THEIR RATE OF GROWTH IS
14 FAR LESS THAN THE 7.7 OR SO THAT WAS GIVEN TO US FOR THE
15 BUDGET.

16

17 **COUNCIL PRESIDENT PEREZ:** OKAY. WE ARE GOING TO MOVE TO THE
18 PUBLIC HEARINGS. I APOLOGIZE FOR THE DELAY. WE DID HAVE TO GET
19 THROUGH THE FIRE CONTRACT AND THE BUDGET IS A BIG TICKET ITEM.
20 THANK YOU TO MY FRIENDS AT THE COUNTY EXECUTIVE'S OFFICE FOR
21 COMING OVER HERE TODAY. THANKS, JOE. I'M GOING TO TURN IT OVER
22 TO MR. LEVENTHAL. I HAVE TO GO TO A MEETING OF THE
23 SUPERINTENDENT'S PANEL ON ADULT EDUCATION UP IN COLUMBIA THAT
24 STARTED SEVEN MINUTES AGO. SO, I APOLOGIZE FOR HAVING TO LEAVE.

25

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1 **COUNCILMEMBER LEVENTHAL:** OKAY. GOOD AFTERNOON LADIES AND
2 GENTLEMEN. THIS IS A PUBLIC HEARING ON ZONING TEXT AMENDMENT
3 05-04, MODERATELY PRICED DWELLING UNITS, FINDING OF FINANCIAL
4 INFEASIBILITY, WHICH WOULD MODIFY THE ALTERNATIVE REVIEW
5 COMMITTEE BY REPLACING THE CHAIR OF PLANNING BOARD WITH
6 DIRECTOR OF PARK AND PLANNING AND BY ALLOWING THE THREE
7 MEMBERS TO REPRESENTED BY DESIGNEES AND WOULD CLARIFY THE
8 PROCESS FOR ALLOWING AN EXCEPTION FOR A REASON OF FINANCIAL
9 INFEASIBILITY TO CERTAIN CONFORMITY REQUIREMENTS REGARDING
10 RESIDENTIAL DENSITY OR BUILDING HEIGHT IN CERTAIN ZONES FOR A
11 DEVELOPMENT THAT INCLUDES M.P.D.U.S ON SITE. PLANNING, HOUSING
12 AND ECONOMIC DEVELOPMENT COMMITTEE WORK SESSION IS TENTATIVELY
13 SCHEDULED FOR MAY 4, 2005 AT 9:15 A.M. PERSONS WISHING TO
14 SUBMIT ADDITIONAL INFORMATION FOR COUNCIL'S CONSIDERATION
15 SHOULD DO SO BY THE CLOSE OF BUSINESS APRIL 28TH, 2005. BEFORE
16 BEGINNING YOUR PRESENTATION STATE YOUR NAME CLEARLY FOR THE
17 RECORD. MR. RUSS?

18
19 **GREGG RUSS:** FOR THE RECORD, GREGG RUSS FROM THE MONTGOMERY
20 COUNTY PLANNING BOARD. THE PLANNING BOARD REVIEWED ZONING
21 ORDINANCE TEXT AMENDMENT NUMBER 05-04, THE SUBDIVISION
22 REGULATION AMENDMENT 05-1 AND EXPEDITED BILL 4-05 AT ITS
23 REGULAR MEETING APRIL 21ST, 2005. THE BOARD UNANIMOUSLY
24 RECOMMENDS THAT THE AMENDMENTS AND THE EXPEDITED BILL BE
25 APPROVED AS AMENDED WITH A MINOR, PLAIN LANGUAGE MODIFICATION,

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1 WHICH IS INCLUDED IN THIS SEPARATE ATTACHMENT TO THE TECHNICAL
2 STAFF REPORT. ALTHOUGH NOT SPECIFICALLY PERTAINING TO PROPOSED
3 AMENDMENTS AND EXPEDITED BILL, THE BOARD FURTHER EXPRESSED
4 CONCERN THAT PROCEDURES HAVE NOT BEEN ESTABLISHED TO ADDRESS
5 HOW FINANCIAL INFEASIBILITY IS TO BE DETERMINED WHEN
6 REQUESTING TO EXCEED MASTER OR SECTOR PLAN DENSITY OR HEIGHT
7 REQUIREMENTS FOR THE PURPOSE OF PROVIDING M.P.D.U.S ON-SITE.
8 THE PROPOSED ZONING TEXT AMENDMENT SUBDIVISION REGULATION AND
9 THE ACCOMPANYING BILL WOULD MODIFY THE ALTERNATIVE REVIEW
10 COMMITTEE CREATED IN LAST YEAR'S M.P.D.U. LEGISLATION BY
11 REPLACING THE CHAIR OF THE PLANNING BOARD WITH THE DIRECTOR OF
12 PARK AND PLANNING AND BY ALLOWING THE THREE MEMBERS TO BE
13 REPRESENTED BY DESIGNEES. THE BOARD BELIEVES THAT THE LANGUAGE
14 CHANGE IS APPROPRIATE AND THAT IT WOULD MINIMIZE CONCERNS BY
15 PLANNING BOARD LEGAL STAFF THAT THE PLANNING BOARD CHAIR
16 ACTING IN THIS ROLE MIGHT BE PRESENTED WITH EX PARTE
17 INFORMATION THAT HE COULD NOT THEN CONSIDER IN ANY LAND USE
18 DECISION FOR SAME DEVELOPMENT. FURTHER, THE BOARD BELIEVES
19 THAT BY ALLOWING PRINCIPALS TO DESIGNATE A SUBSTITUTE
20 REPRESENTATIVE WOULD PERMIT THE COMMITTEE TO CONTINUE TO
21 FUNCTION EFFECTIVELY IN CASE OF AN EXTENDED ABSENCE OF ONE OF
22 ITS MEMBERS. THANK YOU, I WILL BE HAPPY TO ANSWER QUESTIONS
23 YOU MIGHT HAVE.

24

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1 **COUNCILMEMBER LEVENTHAL:** OKAY. I DON'T SEE QUESTIONS FOR MR.
2 RUSS, THANK YOU FOR JOINING US. THAT WILL CONCLUDE THE HEARING
3 ON AGENDA ITEM NUMBER 7. AND WE WILL NOW GO TO AGENDA ITEM
4 NUMBER 8. THIS IS A PUBLIC HEARING ON SUBDIVISION REGULATION
5 AMENDMENT 05-01 MODERATELY PRICED DWELLING UNITS, FINDING OF
6 FINANCIAL INFEASIBILITY. OKAY, THIS ALSO -- NO, I DON'T THINK
7 THIS IS RESTATING. IS THIS A SECOND BILL THAT ACCOMPLISHES THE
8 SAME THING?

9
10 **SPEAKER:** IT'S THE SUBDIVISION PIECE.

11
12 **COUNCILMEMBER LEVENTHAL:** THIS IS THE SUBDIVISION REGULATION
13 AMENDMENT, THANK YOU, THAT ALSO, SIMILARLY MODIFIES THE
14 ALTERNATIVE REVIEW COMMITTEE, REPLACES THE CHAIR OF THE
15 PLANNING BOARD WITH DIRECTOR OF PARK AND PLANNING AND CONFORMS
16 TO THE OTHER CHANGES MADE IN Z.T.A. 05-04. A PLANNING, HOUSING
17 AND ECONOMIC DEVELOPMENT COMMITTEE WORK SESSION IS TENTATIVELY
18 SCHEDULED FOR MAY 4TH, 2005 AT 9:15 A.M. PERSONS WISHING TO
19 SUBMIT ADDITIONAL INFORMATION FOR THE COUNCIL'S CONSIDERATION
20 SHOULD DO SO BY THE CLOSE OF BUSINESS, APRIL 28TH, 2005. THERE
21 ARE NO WITNESSES FOR THIS PUBLIC HEARING. WE WILL MOVE TO
22 AGENDA ITEM NUMBER 9, WHICH IS A PUBLIC HEARING ON EXPEDITED
23 BILL, 4-05, MODERATELY PRICED DWELLING UNITS AMENDMENTS, WHICH
24 DOES, ACCOMPLISHES THE SAME BASIC THINGS AS IN Z.T.A. 05-04
25 AND SUBDIVISION REGULATION AMENDMENT 05-01. THE P.H.E.D.

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1 COMMITTEE WILL WORK ON THESE ITEMS ON MAY 4TH, 2005 AT 9:15
2 A.M. AND PERSONS WISHING TO SUBMIT ADDITIONAL INFORMATION FOR
3 THE COUNCIL'S CONSIDERATION SHOULD DO SO BY THE CLOSE OF
4 BUSINESS APRIL 28TH, 2005. THERE ARE NO WITNESSES FOR AGENDA
5 ITEM NUMBER 9. THIS IS A PUBLIC HEARING ON THE FOLLOWING
6 REVENUE MEASURES. A RESOLUTION TO SET THE FY06 SOLID WASTE
7 CHARGES TO BE EFFECTIVE JULY 1ST OF 2005; A RESOLUTION TO
8 AMEND TRANSPORTATION FEES, CHARGES AND FARES; A RESOLUTION TO
9 SET FY06 WATER QUALITY PROTECTION CHARGE RATE TO BE EFFECTIVE
10 JULY 1ST, 2005; RESOLUTIONS TO AMEND FOLLOWING, FEES FOR
11 ENFORCEMENT OF SPECIAL EXCEPTIONS, FEES TO WAIVE PARKING
12 STANDARDS, FEES FOR ZONING COMPLIANCE LETTERS, FEES FOR THE
13 ADMINISTRATION AND ENFORCEMENT OF REGISTERED HOME OCCUPATIONS
14 AND FEES FOR THE ADMINISTRATION AND ENFORCEMENT OF SIGN
15 PERMITS AND LICENSES TO BE EFFECTIVE JULY 1ST, 2005. A
16 RESOLUTION TO ESTABLISH FEES FOR EQUESTRIAN EVENT PERMITS TO
17 BE EFFECTIVE JULY 1ST, 2005. THIS IS ALSO A PUBLIC HEARING
18 CONCERNING THE COUNCIL'S INTENTION TO CONSIDER INCREASING THE
19 GENERAL PROPERTY TAX RATE ABOVE THE STATE CERTIFIED CONSTANT
20 YIELD TAX RATE. PERSONS WISHING TO SUBMIT ADDITIONAL
21 INFORMATION FOR COUNCIL'S CONSIDERATION SHOULD DO SO BY THE
22 CLOSE OF BUSINESS, APRIL 29TH, 2005. BEFORE BEGINNING YOUR
23 PRESENTATION, PLEASE STATE YOUR NAME CLEARLY FOR RECORD. OUR
24 FIRST WITNESS IS REGINALD JETER, REPRESENTING THE COUNTY
25 EXECUTIVE. MR. JETER?

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1
2 **REGINALD JETER:** GOOD MORNING.

3
4 **COUNCILMEMBER LEVENTHAL:** GOOD MORNING, GOOD AFTERNOON.

5
6 **REGINALD JETER:** I'M REGINALD JETER, DIVISION CHIEF OF
7 PERMITTING, DEPARTMENT OF PERMITTING SERVICES SPEAKING ON
8 BEHALF OF THE COUNTY EXECUTIVE. I AM SPEAKING IN SUPPORT OF
9 THE PROPOSED RESOLUTIONS TO AMEND FEES FOR THE ENFORCEMENT OF
10 SPECIAL EXCEPTIONS TO WAIVE PARKING STANDARDS FOR ZONE
11 COMPLIANCE LETTERS WITH THE ADMINISTRATION AND ENFORCEMENT OF
12 REGISTERED HOME OCCUPATIONS AND FOR THE ADMINISTRATION AND
13 ENFORCEMENT OF SIGNS, PERMITS AND LICENSES. I AM ALSO GOING TO
14 HAVE SEPARATE COMMENTS IN SUPPORT OF ESTABLISHING A FEE FOR
15 EQUESTRIAN EVENTS, ZONING TEXT AMENDMENT. THE DEPARTMENT OF
16 PERMITTING SERVICES WAS ESTABLISHED AS A FEE-SUPPORTED
17 ENTERPRISE WITHIN THE EXECUTIVE BRANCH OF MONTGOMERY COUNTY IN
18 1996. REVENUES THAT SUPPORT THE DEPARTMENT ARE ESTABLISHED BY
19 METHOD 2 OR METHOD 3 EXECUTIVE REGULATIONS AND BY COUNTY
20 COUNCIL RESOLUTION. THESE RESOLUTIONS CHANGE THE INDEXING OF
21 FEES FROM THE CONSUMER PRICE INDEX TO LABOR COST INCREASES TO
22 ACCURATELY REFLECT THE DEPARTMENT'S BUDGET, OF WHICH MORE THAN
23 80% IS PERSONNEL COST. THESE COST INCREASES REFLECT NEGOTIATED
24 LABOR AGREEMENTS, EMPLOYEE BENEFIT COST ADJUSTMENTS,
25 PROFICIENCY ADVANCEMENT AND OTHER PERSONNEL COST FACTORS. THE

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1 PROPOSED INCREASES IN THESE RESOLUTIONS ARE CONSISTENT WITH
2 THE COUNTY EXECUTIVE'S RECOMMENDED BUDGET FOR FY06 IN WHICH
3 ALL FEES FOR THE DEPARTMENT OF PERMITTING SERVICES WERE RAISED
4 BY 6.4%. THE COUNTY COUNCIL TRANSPORTATION AND ENVIRONMENT
5 COMMITTEE REVIEWED THE PROPOSED RESOLUTIONS AND THE BUDGET FOR
6 DEPARTMENT OF PERMITTING SERVICES ON APRIL 19TH, 2005 AND
7 SUGGESTED LANGUAGE CHANGES TO CLARIFY HOW THE ALLOWABLE
8 RESOLUTION FEE INCREASE IS CALCULATED. THE RECOMMENDED
9 LANGUAGE IS AS FOLLOWED. "THE DEPARTMENT OF PERMITTING
10 SERVICES MAY RAISE THIS FEE ANNUALLY BY REGULATION BY A
11 PERCENTAGE THAT DOES NOT EXCEED THE RATE OF THE INCREASE, IF
12 ANY, IN THE DEPARTMENT'S APPROVED PERSONNEL COST FOR THE THEN
13 CURRENT FISCAL YEAR COMPARED TO THE APPROVED PERSONNEL COSTS
14 FOR THE PRECEDING FISCAL YEAR." WE AGREE WITH RECOMMENDED
15 LANGUAGE AND WILL INCREASE THE PROPOSED RESOLUTIONS TO INCLUDE
16 THAT LANGUAGE. THE CHANGE IN THE LANGUAGE WILL NOT CHANGE THE
17 AMOUNT OF THE RECOMMENDED FEES ALREADY UNDER CONSIDERATION.
18 AND NOW I JUST HAVE A FEW WORDS ABOUT THE -- I GUESS WHICH IS
19 ITEM NUMBER 19, THE RESOLUTION TO ESTABLISH FEES FOR
20 EQUESTRIAN EVENT PERMITS. IT IS DIFFERENT FROM THE -- AMENDING
21 THE FEES. THE DEPARTMENT REVIEWS APPLICATIONS FOR COMPLETENESS
22 AND INSPECTS THE PROPERTY FOR COMPLIANCE WITH THE COUNTY CODE,
23 WHEN NECESSARY, AND IT INVESTIGATES COMPLAINTS. AN EQUESTRIAN
24 EVENT PERMIT IS ISSUED WHEN BOTH APPLICATION AND THE PROPERTY
25 ARE IN COMPLIANCE WITH ALL APPLICABLE CODES. THE FEE FOR

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1 EQUESTRIAN EVENT PERMIT IS \$155. THE FEE WILL COVER ALL
2 RESOURCES REQUIRED TO ADMINISTER AND ENFORCE THE PERMIT. AND I
3 THINK THAT'S ALL I HAVE. IF YOU HAVE QUESTIONS OR NEED
4 ADDITIONAL INFORMATION, I'LL BE HAPPY TO ANSWER THEM FOR YOU.

5

6 **COUNCILMEMBER LEVENTHAL:** OKAY. I SEE NO QUESTIONS FOR MR.
7 JETER.

8

9 **COUNCILMEMBER PRAISNER:** I DO.

10

11 **COUNCILMEMBER LEVENTHAL:** OH, I'M SORRY. OH, IT WAS. OKAY, MRS.
12 PRAISNER.

13

14 **COUNCILMEMBER PRAISNER:** WE'RE GOING TO BE DISCUSSING IN THE
15 P.H.E.D. COMMITTEE LATER THE ISSUES OF ADDITIONAL SUPPORT FOR
16 THE EQUESTRIAN ISSUES AND INITIATIVES. I WAS WONDERING THE
17 EXTENT TO WHICH EQUESTRIAN PERMITS TO REVIEW THE INSPECTIONS
18 THAT ARE NECESSARY TO BE A FACILITY IN THE -- WITH THE SOIL
19 CONSERVATION DISTRICT, ET CETERA, WHETHER SOME FEE NEEDS TO BE
20 INCLUDED SOMEWHERE THAT INCORPORATES THOSE KINDS OF INCREASED
21 COSTS IN ORDER TO MANAGE THAT, THOSE IMPLICATIONS THAT ARE
22 REQUIRED FOR A LEGITIMATE EQUESTRIAN FACILITY. SO, I WAS GOING
23 TO RAISE THAT THIS AFTERNOON WHEN WE HAVE THE P.H.E.D.
24 COMMITTEE DISCUSSION WITH THE DEPARTMENT OF ECONOMIC
25 DEVELOPMENT. I WANT TO PUT IT ON THE RECORD NOW BECAUSE THE

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1 QUESTION IS, SHOULD SOME OF THOSE REVIEWS AND MANAGEMENT HAVE
2 A FEE ASSOCIATED WITH IT. IT MIGHT BE APPROPRIATE TO FIND SOME
3 PLACE IN PERMITTING SERVICES TO GENERATE THAT REVENUE, OR TO
4 HAVE THAT MAINTENANCE OF THAT COST.

5
6 **REGINALD JETER:** RIGHT NOW WE HAVEN'T RECEIVED ANY APPLICATIONS
7 FOR THIS TYPE OF PERMIT BUT THE REVIEW THAT WE HAVE IN PLACE
8 WOULD BE THE DEPARTMENT OF PERMITTING SERVICES WOULD REVIEW IT.
9 THE DEPARTMENT OF PUBLIC WORKS AND TRANSPORTATION WILL LOOK AT
10 TRAFFIC CONTROL. AND THOSE ARE REALLY THE TWO REVIEWS WE HAVE
11 AT THE TIME.

12
13 **COUNCILMEMBER PRAISNER:** RIGHT. I'M REALLY NOT TALKING OF AN
14 EVENT-DRIVEN ACTIVITY, I'M TALKING ABOUT THE REGISTRATION AND
15 COSTS ASSOCIATED WITH HAVING AN EQUESTRIAN FACILITY AND THE
16 KINDS OF PLANS AND REQUIREMENTS THAT NEED TO BE REVIEWED IN
17 THE -- WITHIN THE SOIL CONSERVATION REQUIREMENTS. WE'RE GOING
18 TO HEAR THIS AFTERNOON IN THE P.H.E.D. COMMITTEE THAT THERE
19 ARE ADDITIONAL COSTS ASSOCIATED WITH THE LEGISLATION AND THE
20 REQUIREMENTS OF SOIL CONSERVATION TO REVIEW THE SOIL
21 CONSERVATION PLANS, ET CETERA. AND I'M WONDERING IF SOME OF
22 THAT SHOULDN'T BE FEE-DRIVEN. THAT'S THE ONLY POINT I WAS
23 MAKING. I UNDERSTAND THE EQUESTRIAN EVENT WOULD NOT -- IT
24 WOULDN'T BE TACKED ONTO THAT, NECESSARILY.

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1 **COUNCILMEMBER LEVENTHAL:** OKAY. SEEING NO MORE QUESTIONS FOR MR.
2 JETER, WE'LL MOVE TO THE NEXT PANEL. I'M GOING TO CALL
3 EVERYONE'S NAME ON THE NEXT PANEL AND PLEASE COME FORWARD.
4 THERE SHOULD BE ENOUGH CHAIRS ONCE MR. JETER GIVES UP HIS
5 CHAIR. MARVIN WEINMAN, JANE SEIGLER, ROBERT BUTTS, KEN REID,
6 JUDY KOENICK, JEFF HOOKE, GARY STITH. MARVIN WEINMAN, PLEASE
7 GO AHEAD.

8
9 **MARVIN WEINMAN:** YEAH, MY NAME IS MARVIN WEINMAN. I WAS GOING
10 TO SPEAK INITIALLY ABOUT THE WATER QUALITY PROTECTION CHARGES
11 BUT I'LL TAKE THE OPPORTUNITY TO ADDRESS, FOR THE FIRST COUPLE
12 OF MINUTES, ISSUES THAT HAVE BEEN RAISED TODAY. FOR 19 DAYS
13 SINCE MY TESTIMONY, JOINED IN 17 PAGES, I HAVEN'T GOTTEN ONE
14 CALL FROM THE COUNCIL ON ANY ISSUES OR RECOMMENDATIONS THAT WE
15 MADE. BUT THAT'S NOT REALLY IMPORTANT. WHAT'S IMPORTANT IS
16 THAT WE RELATED TO THREE ASPECTS OF THE BUDGET: NUMBER ONE
17 REVENUE, NUMBER TWO SPENDING AND NUMBER THREE, PRODUCTIVITY.
18 THEY ALL LINK TOGETHER AND YOU CAN'T HAVE A BUDGET WITHOUT ALL
19 THREE OF THEM. YOU KNOW, I WON'T TALK ABOUT REVENUE BECAUSE
20 WE'RE LOOKING AT THAT AND RAISING THAT. BUT LET'S TALK ABOUT
21 SPENDING. YOU KNOW, SPENDING AS WE HAVE LOOKED AT IT TODAY AND
22 WHAT WE HAVE DONE FOR THE FIREFIGHTERS IS TO BASICALLY
23 INCREASE THE BUDGET FOR THE THREE-YEAR PERIOD FOR \$29.7
24 MILLION, OKAY. WHAT THAT COMES DOWN TO IS ABOUT \$10,000 A YEAR
25 FOR EACH FIREFIGHTER, 921 FIRE FIGHTERS. WE TALK ABOUT

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1 SUSTAINABILITY. WE TALKED ABOUT SPENDING, YOU KNOW. WE HAVE
2 THE TOTAL BUDGET FOR SALARY AND COMPENSATION. THIS IS ONE
3 PIECE OF IT. YOU HAVE TO BALANCE THE WHOLE THING AND TRY TO
4 MAINTAIN IT. IF SOMEBODY GETS OVER 10% A YEAR, YOU KNOW, WHAT
5 HAPPENS TO THE REST OF IT? YOU KNOW, CAN WE CONTAIN THE REST
6 OR ARE WE TAKING -- HOW BIG IS THE PIE FOR SALARY AND
7 COMPENSATION? THE NEXT THING TO TALK ABOUT IS HOW YOU SPEND
8 THE MONEY. WE'VE RAISED THE ISSUE OF THE \$99 MILLION THAT WAS
9 SPENT IN 2004 AS ADDITIONAL REVENUE. WE STILL DON'T UNDERSTAND
10 WHERE THAT MONEY WENT AND NOBODY SEEMS TO WANT TO TALK ABOUT
11 THAT. WE TALK ABOUT PRODUCTIVITY. PRODUCTIVITY IS MORE THAN
12 PRODUCTIVITY NUMBERS, IT'S ACCOUNTABILITY AND ACCOUNTABILITY
13 IS IMPORTANT. AND IT'S EFFICIENCY AND EFFECTIVENESS. SO, YOU
14 KNOW, THEY ALL TIE TOGETHER. YESTERDAY THERE WAS A SESSION
15 WITH THE INTEGRATED JUSTICE SYSTEM WHERE THEY CAME BACK FOR
16 \$385,000 FOR SOFTWARE THAT SHOULD HAVE BEEN DONE IN THE FIRST
17 PLACE AND THEY SHOULD HAVEN'T COME BACK FOR THAT. WELL, IT WAS
18 A VERY GOOD REVIEW. THERE WERE VERY HARD QUESTIONS FROM THE
19 P.H.E.D. COMMITTEE, DIDN'T GET GOOD ANSWERS. OKAY. WHAT
20 HAPPENED THEN AFTERWARDS, WHEN WE WENT INTO SUMMARY THE
21 DIRECTOR OF CORRECTIONS SPOKE UP AND HIS EVALUATION WAS, WE
22 ALL DID A VERY GOOD JOB, EVERYBODY ATTENDED MEETINGS AND WE
23 GOT ALONG WELL. IS THAT HOW YOU EVALUATE PRODUCTIVITY? AND THE
24 ANSWER TO THAT IS, I DON'T THINK SO. SO HOW DO YOU EVALUATE
25 ITS EFFECTIVENESS? AND IT'S WHAT YOU PRODUCE. NOW, JUST

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1 GETTING BACK TO THE WATER QUALITY PROTECTION. IT WENT FROM
2 \$12.75 TO \$19.35, A 51.76% INCREASE. THAT'S FINE, BUT WHERE IS
3 THAT MONEY GOING TO GO? YOU KNOW, I WOULD ANTICIPATE ALL THESE
4 ADDITIONAL FEES. I'VE LOOKED AT FED-EX FIELD AND I'M SURE
5 PRETTY SOON DANIEL SNYDER IS GOING TO BE CHARGING SOON FOR
6 MUSTARD ON HOT DOGS. YOU KNOW, WHAT ARE WE GOING TO DO AS WE
7 NIT-PICK ON THESE FEES? BUT REMEMBER THIS CUTS AND YOU HAVE TO
8 CUT --

9

10 **COUNCILMEMBER LEVENTHAL:** WHAT'S THE POINT, MARVIN?

11

12 **MARVIN WEINMAN:** YEAH, ONE JUST -- ONE LAST POINT. CUTS VERSUS
13 REDUCED INCREASES. I THINK WE'RE REDUCING INCREASES AND NOT
14 ALWAYS CUTS. THANK YOU.

15

16 **COUNCILMEMBER LEVENTHAL:** THANK YOU, JANE SEIGLER.

17

18 **COUNCILMEMBER PRAISNER:** YOUR MIC IS NOT ON, JANE.

19

20 **JANE SEIGLER:** THANK YOU. CAN YOU HEAR ME NOW? MY NAME IS JANE
21 SEIGLER. I'M ONE OF THE OWNERS OF READYMEAD FARM, WHICH IS A
22 LARGE RIDING STABLE IN THE SILVER SPRING, ASHTON AREA AND I AM
23 ALSO A FORMER MEMBER OF THE COUNTY'S AGRICULTURAL ADVISORY
24 COMMITTEE, AND I AM SPEAKING HERE TODAY ON BEHALF OF THE
25 AGRICULTURAL ADVISORY COMMITTEE REGARDING THE RESOLUTION TO

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1 ESTABLISH A FEE FOR THE ADMINISTRATION OF EQUESTRIAN EVENT
2 PERMITS. THE A.A.C. BELIEVES THAT BOTH THE CRITERIA AND THE
3 FEE FOR ISSUANCE OF THE EQUESTRIAN EVENT PERMIT MUST HAVE A
4 BASIS IN FACT, DEMONSTRATING THEY ARE REASONABLE AND NOT
5 UNDULY BURDENSOME. BOTH THE COUNCIL AND THE PUBLIC MUST HAVE
6 INFORMATION UPON WHICH TO ASSESS THE REASONABLENESS OF THE
7 APPLICATION PROCESS AND THE FEE. THEREFORE, ESPECIALLY WHEN
8 ESTABLISHING A NEW PERMITTING SCHEME, THE D.P.S. SHOULD BE
9 REQUIRED TO DEMONSTRATE WITH SPECIFICITY NUMBER ONE, THAT THE
10 APPLICATION PROCESS IS UNCOMPLICATED AND USER-FRIENDLY. NUMBER
11 TWO, THAT THE INFORMATION REQUESTED AND OTHER ACTIONS REQUIRED
12 FOR ISSUANCE OF THE PERMIT ARE REASONABLE AND DIRECTLY
13 RELEVANT TO THE CRITERIA SPECIFIED IN Z.T.A.03-21. AND FINALLY,
14 THAT THE FEE HAS A BASIS IN THE ACTUAL COST OF THE
15 ADMINISTRATION OF PROGRAM. THE D.P.S. SHOULD PROVIDE FACTS ON
16 THE RECORD TO ADDRESS EACH OF THESE POINTS. FINALLY, IN
17 BACKGROUND POINT NUMBER 5 IN THE RESOLUTION, IT IS STATED THAT,
18 AND I QUOTE, "D.P.S. REVIEWS APPLICATIONS FOR COMPLETENESS,
19 INSPECTS THE PROPERTY FOR COMPLIANCE WITH THE COUNTY CODE WHEN
20 NECESSARY AND INVESTIGATES COMPLAINTS." IT GOES ON TO STATE
21 THAT AN EQUESTRIAN EVENT PERMIT IS ISSUED WHEN BOTH THE
22 APPLICATION AND THE PROPERTY ARE IN COMPLIANCE WITH ALL
23 APPLICABLE COUNTY CODES. THESE PERMITS ARE REQUIRED FOR LARGE
24 EVENTS WHICH REQUIRE PLANNING, ADVERTISEMENT AND OFTEN
25 SUBSTANTIAL COMMITMENT OF TIME AND CAPITAL WELL IN ADVANCE.

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1 FOR EXAMPLE, LARGE COMPETITIONS GENERALLY ARE REGULATED BY THE
2 UNITED STATES EQUESTRIAN FEDERATION. IN PARTICULAR, THE
3 COMPETITION DATE MUST BE APPROVED BY THAT ORGANIZATION OFTEN A
4 YEAR OR MORE IN ADVANCE. AND FOR A VARIETY OF REASONS IT IS
5 DIFFICULT OR IMPOSSIBLE TO CHANGE. THEREFORE TO HOLD UP AN
6 EVENT PERMIT UNTIL COMPLIANCE IS ACHIEVED FOR SOME CODE
7 VIOLATION THAT IS COMPLETELY UNRELATED TO THE EQUESTRIAN EVENT
8 AND FOR WHICH COMPLIANCE MAY TAKE WEEKS OR MONTHS TO COMPLETE
9 IS UNREASONABLE AND UNDULY BURDENSOME. THE Z.T.A. STATES
10 CLEARLY THAT INFORMATION GATHERED BY D.P.S. FOR THE PERMIT
11 MUST BE, AND AGAIN I QUOTE, "RELEVANT TO THE ISSUANCE OF THE
12 PERMIT." ADMINISTRATION OF THE EQUESTRIAN EVENT PERMIT PROCESS
13 SHOULD BE LIMITED TO THE CRITERIA FOR THESE PERMITS AS SPELLED
14 OUT IN THE Z.T.A. AND REASONABLY RELATED MATTERS. COUNTY HAS
15 OTHER MEANS TO ENFORCE UNRELATED CODE VIOLATIONS, THANK YOU.

16
17 **COUNCILMEMBER LEVENTHAL:** THANK YOU, IS ROBERT BUTTS HERE?

18
19 **ROBERT BUTTS:** I'M NOT GOING TO SPEAK. I FEEL THAT JANE SEIGLER
20 ADDRESSED THOSE ISSUES FOR US.

21
22 **COUNCILMEMBER LEVENTHAL:** THANK YOU VERY MUCH. LESS IS MORE.
23 KEN REID? IS KEN REID HERE? JUDY KOENICK.

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1 **JUDY KOENICK:** HI, MY NAME IS JUDY KOENICK. I HAVE A NUMBER OF
2 COMMENTS ON A NUMBER OF THESE ITEMS. YOU'RE TALKING ABOUT
3 RAISING THE CONSTANT YIELD TAX WHICH, OF COURSE THEN WILL
4 INCREASE OUR PROPERTY RATE TAXES. IT'S NOT GOING TO INCREASE
5 IT -- OR WILL INCREASE FEES AND WHATEVER ELSE. IT'S GOING TO
6 COST US MONEY. YOU CAN SAY IT'S NOT. YOU'RE TALKING ABOUT AT
7 ONE POINT REDUCING PROPERTY TAXES BY TWO TO THREE PENNIES AND
8 ON THE OTHER HAND YOU'RE TAKING DOLLARS AND DOLLARS AND
9 DOLLARS AND DOLLARS FROM OTHER FEES AND OTHER THINGS THAT
10 YOU'RE GOING TO BE RAISING. WHETHER IT'S ON THIS ITEM HERE
11 RIGHT NOW, IT'S AN OPPORTUNITY FOR YOU TO MENTION IT. YOU ARE
12 GIVING US THREE PENNIES AND YOU'RE GOING TO TAKE \$4 OR \$5 FROM
13 US. IF YOU WILL NOTICE OTHER COUNTY MUNICIPALITIES AROUND HERE
14 ARE CUTTING THEIR PROPERTY TAXES, NOT TWO OR THREE PENNIES,
15 BUT NINE, TEN AND IF YOU DON'T WANT TO HAVE A FICKER AMENDMENT
16 THEN YOU NEED TO REEVALUATE THAT. SO, RAISING THE CONSTANT
17 YIELD TAX RATE IN ORDER TO COVER WHAT YOU NEED, YOU NEED TO
18 CUT THE BUDGET AND YOU NEED TO CUT IT DRASTICALLY. ON THIS
19 ISSUE OF FEES FOR EQUESTRIAN EVENTS. UNFORTUNATELY, THIS OF
20 COURSE DOESN'T APPLY TO THE PARK AND PLANNING COMMISSION,
21 WHICH IS ABSURD BECAUSE THEY'VE NEVER BEEN IN COMPLIANCE. NOW,
22 THIS WOMAN OVER HERE IS TALKING ABOUT THEIR LONG-TERM PLANS IN
23 ORDER TO DO THIS. THE SIMPLEST WAY TO SOLVE THAT PROBLEM IS
24 FOR THESE FACILITIES TO MAKE SURE THAT THEY'RE ALWAYS IN
25 COMPLIANCE. IF THEY'RE NOT IN COMPLIANCE, PERHAPS BEFORE THEY

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1 SCHEDULE IT THEY SHOULD HAVE SOMEONE COME OUT AND SAY, LOOK,
2 WHAT DO WE NEED TO DO TO MAKE SURE WE'RE IN COMPLIANCE AND
3 WILL YOU PLEASE COME BACK AND AT LEAST HELP US MAKE SURE WE
4 STAY IN COMPLIANCE. IF THEY'RE NOT IN COMPLIANCE, THEN DON'T
5 GIVE THEM A PERMIT. AND THAT'S A SIMPLE WAY TO ESTABLISH THAT.
6 I NOTICE HERE THAT YOU TALK ABOUT A LOT OF FEES INCREASING
7 JUST 6.5, BY 6.4%. WELL, THAT MAY INCREASE 6.4% FROM LAST YEAR
8 BUT IF YOU LOOK AT IT, I SAW ONE FEE THAT'S GONE FROM \$88 TO
9 \$122. THAT'S A 50% INCREASE OVER THREE, FOUR YEARS. SO, WHEN
10 YOU HAVE YOUR STAFF DO THEIR ANALYSIS AND THEIR GRAPHS, IT
11 WOULD BE HELPFUL IF YOU'D SHOW WHAT THE INCREASE WOULD BE FROM
12 NOT JUST ONE YEAR BUT OVER A FOUR OR FIVE YEAR PERIOD. THERE
13 IS ONE FEE THAT I'M ASKING THAT YOU RAISE. WHICH MAY BE A
14 SHOCK TO YOU. I THINK THOSE THAT PARK IN HANDICAP SPOTS, THEY
15 SHOULD HAVE A \$500 FEE, NOT \$250. IF YOU ALLOW A \$500 FEE
16 RATHER THAN \$250 FOR ILLEGALLY PARKING. IF I HAD COME -- IF
17 YOU'D STARTED PROMPTLY ON TIME I WOULD HAVE BEEN LATE BECAUSE
18 THERE WAS A TRUCK PARKED IN THE HANDICAPPED PARKING PLACE OUT
19 THERE. AND NORMALLY I WOULD CALL THE POLICE AND GET HIM A \$250
20 TICKET BUT HE CAME OUT. AND I SAID, YOU KNOW, YOU'RE GOING TO
21 GET A WASH ON IT THIS TIME. A \$250 TICKET TO SOME PEOPLE IS
22 MEANINGLESS AND THEY PARK THERE. I'VE ACTUALLY SEEN A PERSON
23 WHO CLAIMED HE WAS A PARK POLICE -- NOT A PARK BUT A COUNTY
24 POLICE OFFICER HANG A BADGE IN THE WINDSHIELD AND PARK IN A
25 HANDICAPPED PARKING PLACE. THE PICTURE CONVINCED THE COUNTY

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1 POLICE THEY OUGHT TO ISSUE HIM A TICKET. YOU'RE TALKING ABOUT
2 RAISING FEES IN PARKING DISTRICTS. I HAVE A QUESTION FOR YOU.
3 THERE IS A LOT AT PARK AND PLANNING COMMISSION -- PUBLIC
4 PARKING LOT THERE. (CHIMES) I WOULD SAY AT LEAST 50% OF THAT
5 LOT IS COVERED BY PARK AND PLANNING COMMISSION EMPLOYEES. DO
6 THEY HAVE TO PAY AND HOW MUCH REVENUE ARE YOU LOSING BY THEM
7 USING THAT TO PARK ALL THEIR VEHICLES? IF YOU GO THERE YOU'LL
8 SEE THERE'S --

9

10 **COUNCILMEMBER LEVENTHAL:** GOT TO FINISH UP, JUDY.

11

12 **JUDY KOENICK:** GOT TO BE AT LEAST 100 VEHICLES. I WOULD LIKE TO
13 CORRECT ONE THING ON HERE.

14

15 **COUNCILMEMBER LEVENTHAL:** GO AHEAD, LAST POINT.

16

17 **JUDY KOENICK:** I KNOW. SINCE YOUR MAN WHO GOT UP HERE AND SAID
18 HE WAS AN ATTORNEY AND COULDN'T DO MATH. IF YOU LOOK AT SOLID
19 WASTE APPROVAL SHEET, AND GO DOWN TO THE BOTTOM, IT SAYS YARD
20 TRIM \$33 --

21

22 **COUNCILMEMBER LEVENTHAL:** GET TO THE POINT.

23

24 **JUDY KOENICK:** THE \$36, AND IT SAYS NO INCREASE. MY SIMPLE MATH
25 SKILLS SHOW ME IT'S OVER A 9% INCREASE.

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1
2 **COUNCILMEMBER LEVENTHAL:** OKAY, THANKS VERY MUCH. JEFF HOOKE?

3
4 **JEFF HOOKE:** GOOD AFTERNOON. MY NAME IS JEFF HOOKE. I'M
5 CHAIRMAN OF THE MARYLAND TAX EDUCATION FOUNDATION, WHICH IS
6 NONPROFIT THAT LOOKS AT BUDGET AND TAX MATTERS IN THE STATE OF
7 MARYLAND. I GUESS WE ALSO DO SOME WORK ON THE COUNTY LEVEL
8 FROM TIME TO TIME. I LIVE IN COUNTY. AND ONE ISSUE WE'RE
9 LOOKING AT HERE IS THE SEWAGE CHARGES YOU'RE THINKING OF, OR
10 THE WASTE DISPOSAL CHARGES. ON THE STATE LEVEL I GUESS OUR
11 LATEST CLAIM TO FAME WAS WE CRITICIZED THE SLOTS GIVE-AWAY
12 THAT WAS PROPOSED FOR THE RACETRACKS BUT WE'VE ALSO RECENTLY
13 LOOKED IN THIS COUNTY AT TEACHER COMPENSATION CONTRACTS AND
14 ALSO THE GIVE-AWAY THAT WAS SUGGESTED WITH THE ZONING
15 VARIANCES FOR HIGH-DENSITY BUILDINGS. THIS HAS IS GOING TO BE
16 KIND OF UNUSUAL BECAUSE WE'RE ACTUALLY GOING TO PROPOSE A WAY
17 FOR THE COUNCIL TO AT LEAST LOOK AT PERHAPS A WAY OF SAVING
18 MONEY. A COUPLE OF MONTHS AGO AN ECONOMIST THAT DOES WORK WITH
19 US, DAVE CURRY, HE'S WORKED FOR THE FEDERAL GOVERNMENT FOR
20 MANY YEARS, WORKED ON A STUDY WHICH INDICATED HOW YOU COULD
21 POSSIBLY SAVE MONEY IN THE WASTE DISPOSAL SYSTEM. I DON'T WANT
22 TO BLIND-SIDE IT, EVEN THOUGH WE SENT COPIES TO EVERYBODY. I
23 DON'T WANT TO BLIND-SIDE YOU BECAUSE THIS IS KIND OF A
24 TECHNICAL WORK. BUT I'M JUST HERE TO ENCOURAGE YOU TO TAKE A
25 SECOND LOOK AT IT, IF YOU HAVEN'T LOOKED AT IT BEFORE. WE

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1 THINK YOU CAN SAVE \$22 MILLION A YEAR WITHOUT REALLY DAMAGING
2 THE ENVIRONMENT. \$7 MILLION BY CLOSING THE DICKERSON FACILITY,
3 EVEN AFTER HAVING TO PAY THOSE DEBT SERVICE COVERAGES WHICH
4 WOULD REMAIN IN EFFECT IF YOU SHUT IT DOWN. THE WAY THE MATH
5 WORKS, YOU COULD ACTUALLY SAVE MONEY BY JUST MOVING THAT WASTE
6 THAT'S PRESENTLY INCINERATED OUT TO LANDFILLS. ALSO, WE THINK
7 IT MIGHT BE AN IDEA TO CONSIDER TO CONSOLIDATE THE RECYCLING
8 OPERATION OF THE COUNTY, JUST THE MOST DENSELY POPULATED AREAS
9 AS ONE WAY OF -- YOU'LL STILL MEET THE STATE REQUIREMENTS BUT
10 YOU'LL BE ABLE TO SAVE A SUBSTANTIAL AMOUNT OF MONEY BY
11 CONSOLIDATING THAT KIND OF RECYCLING STRICTLY FOR THE MOST
12 DENSELY POPULATED AREAS. ANOTHER THING WE FOUND OUT IN THE
13 STUDY IS THAT THE DISPOSAL FEES AND THE BENEFIT CHARGES
14 ACTUALLY BEAR LITTLE RELATION TO SERVICES OF THE CUSTOMER'S
15 PROVIDED IN THAT THE HOMEOWNERS TEND TO PROVIDE A SUBSIDY NOT
16 ONLY TO BUSINESSES THAT USE THE DICKERSON FACILITY BUT ALSO TO
17 MULTI-UNIT APARTMENT BUILDINGS. SO, I WOULD ENCOURAGE YOU TO
18 HAVE A LOOK AT THIS STUDY, LOOK AT CONCLUSIONS AND PERHAPS IF
19 YOU'D LIKE TO TALK TO DAVE CURRY OR MYSELF OR HAVE SOMEONE
20 FROM WASTE DISPOSAL SYSTEM DO THAT, WE'D BE HAPPY TO OBLIGE
21 YOU. THANK YOU.

22
23 **COUNCILMEMBER LEVENTHAL:** OKAY. THANK YOU, MR. HOOKE. MR.
24 STITH?

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1 **GARY STITH:** I'M GARY STITH, DIRECTOR OF THE SILVER SPRING
2 REGIONAL CENTER. I'M HERE REPRESENTING COUNTY EXECUTIVE. I
3 WANT TO ADDRESS THE INCREASE IN THE PARKING FEES IN THE SILVER
4 SPRING PARKING LOT DISTRICT. THOSE FEES HAVEN'T BEEN RAISED
5 FOR A LONG TIME BUT OUR CONCERN IS THAT IF THE FEES ARE RAISED
6 NOW OR EVEN IF THERE'S ANNOUNCEMENT ABOUT FEES RAISED
7 EFFECTIVE IN FY07 THAT THAT COULD HAVE A NEGATIVE IMPACT ON
8 REDEVELOPMENT EFFORT THAT'S GOING ON RIGHT NOW. ATTRACTING
9 BUSINESSES TO DOWNTOWN SILVER SPRING WHILE THE FEES FOR
10 PARKING ARE LESS THAN THEY ARE IN BETHESDA AND CERTAINLY LESS
11 THAN THEY ARE IN THE DISTRICT, THEY'RE CONSIDERABLY MORE THAN
12 PARKING COSTS AT WESTFIELD SHOPPING MALL JUST IN WHEATON AND
13 OTHER COMMERCIAL AREAS AROUND THE COUNTY THAT HAVE FREE
14 PARKING. AND SO AT THIS POINT, WHILE SILVER SPRING HAS MADE
15 GREAT STRIDES IN REDEVELOPMENT AND CERTAINLY LOOKS A LOT
16 BETTER, WE FEEL THAT THE REDEVELOPMENT IS NOT FIRMED UP TO THE
17 POINT THAT THESE KIND OF FEE INCREASES AT THIS POINT WOULD BE
18 PRUDENT. I'D ALSO LIKE TO POINT OUT THAT THE SILVER SPRING
19 URBAN DISTRICT ADVISORY COMMITTEE HAS SUBMITTED A LETTER AND
20 THAT'S BEEN DISTRIBUTED. AND I WOULD ASK YOU TO READ THE
21 POINTS IN THERE AS WELL. THANK YOU.

22
23 **COUNCILMEMBER LEVENTHAL:** OKAY, THANK YOU, GARY. LET ME JUST
24 NOTE THAT CHARLES ATWELL, WHO IS ONE OF THE LONG-TIME
25 ACTIVISTS IN THE SILVER SPRING BUSINESS COMMUNITY AND CURRENT

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1 CHAIRMAN OF THE MONTGOMERY COUNTY CHAMBER OF COMMERCE WAS HERE
2 AND HOPED TO TESTIFY ALSO ON THE ISSUE OF THE PARKING FEES BUT
3 HAD TO GO EARN A LIVING AND WAS NOT ABLE TO STAY PAST THE
4 SCHEDULED 11:00 TIME FOR THE PUBLIC HEARING. MRS. PRAISNER?

5
6 **COUNCILMEMBER PRAISNER:** I JUST WANTED TO COMMENT ON THE FINE
7 THAT IS LEVIED WHEN PARKING IN A HANDICAP ZONE. JUDY, THE
8 COUNCIL IN FACT RAISED THAT AMOUNT TO \$250 IN ORDER TO TRY TO
9 USE IT AS AN ENFORCEMENT ISSUE BECAUSE -- AND ALSO IN FIRE
10 ZONES. THE PROBLEM IS THAT FOLKS GO TO COURT AND GET THAT
11 DOLLAR AMOUNT REDUCED ON A QUITE FREQUENT BASIS. SO, I'M NOT
12 SURE THAT JUST AUTOMATICALLY RAISING THE DOLLAR AMOUNT HIGHER
13 IS GOING TO LEAD TO THE KIND OF ENFORCEMENT THAT WE ALL WANT,
14 WHICH IS NOT TO HAVE FOLKS PARKING INAPPROPRIATELY EITHER IN
15 FIRE ZONES OR IN HANDICAPPED PARKING SPACES BUT OUR EXPERIENCE
16 AT THE -- IN THE COURT PROCESS, WHICH IS WHERE THAT GOES, IF
17 THERE IS A -- AN APPEAL OF THE TICKET HAS BEEN THAT THAT
18 DOLLAR AMOUNT HAS BEEN GREATLY REDUCED BY THE JUDGES.

19
20 **JUDY KOENICK:** WELL, YOU TALK HERE ON -- YOU'RE TALKING ABOUT
21 TRANSPORTATION FEES AND YOU'RE TALKING ABOUT RAISING SOMETHING
22 THAT BECAUSE GREATER COMPLIANCE WILL LIKELY OFFSET MOST OF THE
23 INCREASE PER FINE. PERHAPS ONE OF YOUR WAYS TO DEAL WITH THIS
24 IS FOR A VERY STRONG LETTER TO COME FROM THE COUNTY COUNCIL TO
25 THE COURT SYSTEM SAYING, HEY, WE'RE TIRED OF YOU REDUCING

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1 THESE AND WE'D LIKE TO KNOW WHY. THERE IS ANOTHER WAY WHICH
2 YOU TALK ABOUT FEES AND THAT'S FIRE HYDRANTS. THE PARK POLICE
3 WILL NOT ENFORCE THEIR REGULATION.

4

5 **COUNCILMEMBER PRAISNER:** I APPRECIATE IT. I JUST WANTED TO MAKE
6 SURE FOLKS KNOW THAT IT ISN'T AUTOMATIC WHAT HAPPENS. WE'VE
7 TRIED SENDING MIKE SUBIN IS OUR EMISSARY AND THAT HASN'T
8 WORKED EITHER.

9

10 **COUNCILMEMBER SUBIN:** [INAUDIBLE] SILVERMAN ON THAT.

11

12 **COUNCILMEMBER SILVERMAN:** HEY, HEY. [SPEAKER NOT UNDERSTOOD]

13

14 **COUNCILMEMBER PRAISNER:** SIX OF THEM? THAT IS A JOKE.

15

16 **COUNCILMEMBER LEVENTHAL:** IT'S A JOKE. MR. SUBIN?

17

18 **COUNCILMEMBER SUBIN:** THANK YOU. WELL, FIRST OF ALL THE ISSUE
19 ON THAT IS, AND I THINK WE HAD ASKED FOR AN AMENDMENT TO THAT
20 WHICH WOULD READ "UP TO \$250." RIGHT NOW THE JUDGES ARE NOT
21 ENFORCING THAT BECAUSE IT'S A FLAT-OUT. IT WILL BE \$250 AND
22 FOR FIRST-TIME VIOLATORS OR WHATEVER, THEY DON'T THINK THAT
23 THAT IS AN AMOUNT THAT THEY SHOULD LEVY ON THEM. SO, WE WOULD
24 -- I MEAN, IF WE COULD ASK OUR LEGAL COUNSEL TO DRAFT AN
25 AMENDMENT TO ADD THE WORDS "UP TO" IT MIGHT GET TO BE --

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2 **COUNCILMEMBER PRAISNER:** I THOUGHT WE DID THAT.

3

4 **COUNCILMEMBER SUBIN:** WELL, I THINK WE TALKED ABOUT IT BUT I
5 THINK WE NEVER GOT THERE.

6

7 **JUDY KOENICK:** WHY NOT GIVE THESE JUDGES A SET OF CRUTCHES AND
8 LET THEM TRY MOVING AROUND ON A SET OF CRUTCHES OR A
9 WHEELCHAIR FOR A WHILE?

10

11 **COUNCILMEMBER SUBIN:** NO, I'VE GOT TO GO BEFORE THEM TOO MANY
12 TIMES. SO I'M NOT GOING TO --

13

14 **JUDY KOENICK:** AND SO YOU'RE DEFENDING PEOPLE BECAUSE OF THIS?

15

16 **COUNCILMEMBER SUBIN:** NO!

17

18 **JUDY KOENICK:** WELL, I JUST WANT TO KNOW.

19

20 **COUNCILMEMBER SUBIN:** IT'S NOT A CRIMINAL CHARGE. THEY DON'T
21 NEED ATTORNEYS FOR THAT. MR. HOOKE ON THE ISSUE OF THE
22 INCINERATOR, FIRST OF ALL, IF WE LEFT THERE NOW, I THINK WE'D
23 BE LEFT HANGING WITH THE BONDS. AND I THINK THE BONDS ARE PAID
24 FOR WITH FEES. BUT EVEN MORE THAN THAT -- THAT NOT SO, WHERE
25 ARE WE GOING TO PUT OUR TRASH FOR FREE? PLUS WE'RE GETTING

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1 REVENUES BECAUSE FROM, I GUESS MIRANT AT THIS POINT, FOR SOME
2 OF THE ELECTRICITY THAT'S GENERATED FROM IT. SO IT WOULDN'T BE
3 AS EASY OR AS NICE AS IT SOUNDS.

4
5 **JEFF HOOKE:** WELL WE, YEAH, WE OBVIOUSLY KNOW THAT THE DEBT
6 SERVICE REMAINS OUTSTANDING, THAT'S ABOUT \$58 PER TON OF
7 REFUSE THAT GOES THROUGH THE PLANT. AND THERE'S ANOTHER \$30 OR
8 \$40, ACTUALLY \$40 A TON FOR LANDFILL. BUT IF YOU DO THE MATH -
9 - I DON'T WANT TO GET INTO THE DETAILS HERE. I DON'T THINK
10 THIS IS THE PLACE TO DO IT, BUT IF YOU DO THE MATH IT'S
11 ACTUALLY CHEAPER TO CLOSE THE FACILITY DOWN. YOU DON'T HAVE
12 ANY MORE OPERATING EXPENSES THERE, AND THEN TO SIMPLY LANDFILL
13 THE STUFF THAT PREVIOUSLY HAD BEEN BURNED THERE. AS YOU
14 ALREADY KNOW, MR. SUBIN, THE ASH THAT IS CREATED FROM THE
15 FACILITY IS LAND-FILLED ANYWAY. IF YOU GO THROUGH THE MATH
16 IT S ACTUALLY CHEAPER TO SHUT IT DOWN AND LANDFILL STUFF
17 THAT'S NOW INCINERATED.

18
19 **COUNCILMEMBER SUBIN:** WELL, FIRST OF ALL, THE ASH ISN'T FILLED
20 HERE. AND WE WENT THROUGH THE DEBATE AND I DON'T KNOW IF ANY
21 PLACE -- THERE AREN'T TOO MANY PLACES IN THIS COUNTY THAT WE
22 COULD PUT A LANDFILL. SECOND OF ALL, THE DEBT SERVICE COMES
23 OUT OF THE TIPPING FEES. THE TIPPING FEES PAY FOR THE
24 COLLECTION, EVEN THOUGH SOME HAULERS ARE ADDING TO IT. BUT

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1 THAT IS IN FOLKS' TAX BILL. SO THE TIPPING FEE IS SUPPOSED TO
2 BE PAYING FOR 100% OF WHAT'S THERE.

3

4 **JEFF HOOKE:** THE TIPPING FEE DOESN'T PAY FOR THE COST TO
5 OPERATE THE INCINERATOR. THE TIPPING FEE IS FAR LOWER THAN THE
6 MARGINAL COST OF BURNING A TON OF TRASH AND THEN LAND FILLING
7 IT. AND A LOT OF OUR COUNTY TRASH IS LAND FILLED OUT OF STATE
8 SO I WOULDN'T -- [OVERLAPPING VOICES]

9

10 **COUNCILMEMBER SUBIN:** THE TRASH IS NOT -- THE TRASH THAT IS
11 BEING LAND FILLED OUT OF THE STATE IS BEING PULLED OUT OF THE
12 SYSTEM BY HAULERS WHO ARE DOING THAT AND NOT BY US. AND IN
13 ACTUALITY, WE END UP MAKING MONEY ON THAT DEAL BECAUSE PEOPLE
14 ARE PAYING FOR THAT TRASH REMOVAL ON THEIR TAX BILLS THAT SAYS
15 TRASH DISPOSAL FEE. PLUS YOU KNOW, WE WOULD THEN, INSTEAD OF
16 HAVING A REVENUE SOURCE THAT I'M NOT PREPARED AT THIS POINT TO
17 SAY IS -- COVERS 100% OF WHAT THE COSTS ARE, WE WOULD THEN
18 HAVE TO BE PAYING OFF THOSE BONDS OUT OF THE GENERAL FUND. SO,
19 IT IS NOT AS EASY OR AS PRETTY AS ONE MIGHT WANT TO THINK IT IS
20 ON PAPER.

21

22 **COUNCILMEMBER LEVENTHAL:** OKAY, MR. HOOKE, MY UNDERSTANDING IS
23 WE DON'T LANDFILL ANY OF OUR TRASH NOW. WE ONLY LANDFILL THE
24 ASH THAT'S GENERATED FROM THE INCINERATOR. THERE IS NO LAND
25 FILLING OF TRASH TODAY. THAT'S MY UNDERSTANDING.

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1

2 **JEFF HOOKE:** WELL, TO THE EXTENT THE PRIVATE HAULERS, YOU KNOW,
3 DON'T USE THE INCINERATORS, IT WOULD BE LAND FILLED OUTSIDE
4 THE COUNTY.

5

6 **COUNCILMEMBER LEVENTHAL:** OKAY. OKAY, THERE ARE NO FURTHER
7 QUESTIONS? THANK YOU ALL TO THE WITNESSES, TIME FOR LUNCH.

8